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CHARTER

AND

General Ordinances

of the

City of Warrenton

E. Clifford Barlow

G. Clifford Barlow.

Charter

And

General Ordinances

of the

City of Warrenton, Oregon

In Force December 31, 1914

Compiled By JOHN EVENDEN, Auditor and Police Judge

1914

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AN ACT

To Incorporate the City of Warrenton

Be it Enacted by the Legislative Assembly of the
State of Oregon.

Incorporation and Boundaries.

Section 1. That all that territory in the county of Clatsop, state of Oregon, described as follows: Beginning at the northwest corner of the Pease donation land claim; thence south to the north line of the Wallace donation land claim; thence west to the northwest corner of the Wallace donation land claim; thence south to the north line of the Tuller donation land claim; thence west to the west line of the Tuller donation land claim; thence south to the south line of Flavel Park; thence east to the west line of W. C. Smith's, Warrenton; thence south to the south line of W. C. Smith's Warrenton; thence east to the west line of O'Hara's addition to Warrenton; thence south to a point thirty feet south of block three of O'Hara's addition to Warrenton; thence east to the west line of Matier's, Warrenton; thence south to the north line of the county road running along the center line of the Tuller donation land claim; thence east along the north side of said road to Skipanon creek; thence southerly up the west bank of said creek to the south line of section twenty-one, township eight north, range ten west; thence east to the center of Adair's slough (said

slough being the boundary between the lands of S. D. and John Adair); thence northerly along the center line of said slough to the meander line of Young's bay; thence north twenty-two degrees and thirty minutes east to the ship channel of the Columbia river; thence northerly along ship channel to a point north twenty-two degrees and thirty minutes east of the place of beginning; thence to the place of beginning,—shall be included in the city of Warrenton, and the inhabitants thereof shall be and do constitute a municipal corporation by the name and style of the City of Warrenton, and by that name shall have perpetual succession; may contract, sue and be sued in any and all courts; may purchase, lease, hold and receive property, real and personal, within said city for public buildings, public works, street and city improvements; may purchase, lease, hold and receive property, real and personal, within and beyond the limits of the city for public squares, parks, cemeteries, hospitals, prisons, work-houses, pesthouses and waterworks and for any other proper and legitimate municipal purpose, and may erect necessary public buildings thereon, and may enclose, ornament and improve the same; and may take and condemn private property within the corporate limits for public uses, and within and beyond the corporate limits for the purpose of supplying the city with water and protecting said city from fire and pestilence; and may lease, sell and dispose of any of the above described property for the benefit of the city; and shall have and use a common seal.

SECTION I. A.

An amendment to the Charter of the City of Warrenton, to change the Boundaries thereof as proposed by petition filed with the Common Council of

the said City, and presented under the provisions of Chapter 81 of the General Laws of Oregon of the Legislative Assembly of 1911, approved on the 8th day of September, 1914; has ordered a special election to be held on the 9th day of November, 1914; to submit the question to the electors of the City of Warrenton, and to the electors residing within the territory proposed by such petition to be annexed to the City of Warrenton and to become a part thereof, as to whether or not said district or territory particularly described as follows, to-wit:

Boundaries of the City of Warrenton.

Commencing at a point on the low tide line of the Pacific Ocean where the same is intersected by the North line of Block Eleven (11) of DeLaura, as laid out and recorded by the DeLaura Beach company, if extended, the same being the line between the North and South halves of the W. H. Gray D. L. C. in Section 29, Township 8 North, Range 10 West of the W. M. in Clatsop County, Oregon; and running thence East along the North line of said DeLaura Beach property 3,435.63 feet; thence South 40 degrees 58½ minutes East 559.78 feet; thence South 54 degrees 38½ minutes East, 186.77 feet; thence South 36 degrees 11 minutes East 360.50 feet; thence East 475.34 feet; thence North 75 degrees 11½ minutes East 633.89 feet; thence Southeast to the Northwest corner of Morrison's Addition to Frondosa; thence North 79 degrees 21 minutes East 396 feet to the northeast corner of said addition; thence South to the northwest corner of Ivy Park Addition; thence East along the North line of said Ivy Park Addition 86.05 feet to the North East Corner of the same; thence East along the North line of the Property of School District No. 2, and continuing East to the point of intersection with the County

Road; thence Northeasterly along the North line of said County Road to the North line of the Road commonly called and known as the Cut-off Road, at the Southwest Corner of Moreland Addition, thence Easterly along the North line of said Cut-off Road, and the South Boundary of said Moreland Addition to the West Bank of Skipanon Creek or River; thence in a Southerly direction along the West Bank of the said Creek or River to the South line of Rodney Acres, thence East along the south line of said Rodney Acres to the South East Corner of the same, thence North along the East side of said tract to its intersection with the center line of Section 27, thence East along the center line of said Section to a point where the same would be intersected by the East line of Block 94 of Warrenton Park extended South on a straight line; thence North along the said last mentioned line to the North line of tract "A" of Harriman Addition; thence East along said North line of said tract "A" to the West line of the Brian Lavery D. L. C.; thence North along the West line of said claim to the North line of Section 26, thence East along the said North line of Section 26 to the Corner, common to sections 23, 24, 25 and 26 of said Township and Range, thence South along the West line of Section 25 to the North Boundary of the County Road leading from Astoria to Warrenton; thence East along the North Boundary of said County Road to the middle of the channel of the Lewis & Clark River; thence Northerly along the center of said channel to the Ships Channel of Young's Bay; thence Westerly down said Ships Channel to the Northeast corner of the City of Warrenton; thence running South along and following the East Boundary of the City of Warrenton to the Southeast corner thereof; thence along the South Boundary of said City to the Southwest Corner thereof; thence

along the West Boundary of said City to the North-west Corner thereof; and running thence Westerly along the South Ships Channel of the Columbia River to the East Boundary line of the Town of New Astoria; thence south along the east line of said town to the southeast corner of New Astoria; thence west along the south line of New Astoria to the southwest corner thereof; thence north along the west line of said town to the south boundary of the Fort Stevens Military Reservation; thence west along the south line of said Military Reservation to the low tide line of the Pacific Ocean and thence southerly along said low tide line to the place of beginning; shall be annexed to the City of Warrenton.

Section 1. B.

Inasmuch as Section 1, of this Charter describes the boundaries of the City of Warrenton as they existed before November 9th, 1914; and Section 1. A., describes the boundaries of the territory which was annexed to the City on the above date; and as neither description is in itself complete. It is deemed advisable to here insert under the heading of Section 1. B., a complete description of the boundaries of the City of Warrenton as it exists at this time, viz: Since the above date of November 9th, 1914.

Boundaries of the City of Warrenton.

Commencing at a point on the low tide line of the Pacific Ocean where the same is intersected by the North line of Block Eleven (11) of DeLaura, as laid out and recorded by the DeLaura Beach company, if extended, the same being the line between the North and South halves of the W. H. Gray D. L. C. in Section 29, Township 8, North of Range 10, West of the W. M. in Clatsop County, Oregon; and running thence East along the North line of said DeLaura

Beach property 3,435.63 feet; thence South 40 degrees 58½ minutes East 559.78 feet; thence South 54 degrees 38½ minutes East, 186.77 feet; thence South 36 degrees 11 minutes East 360.51 feet; thence East 475.34 feet; thence North 75 degrees 11½ minutes East 633.89 feet; thence Southeast to the Northwest corner of Morrison's Addition to Frondosa; thence North 79 degrees 21 minutes East, 396 feet to the northeast corner of said Addition; thence South to the northwest corner of Ivy Park Addition; thence East along the north line of said Ivy Park Addition 886.05 feet to the Northeast corner of the same; thence East along the North line of the property of School District No. 2, and continuing East to the point of intersection with the County Road; thence Northeasterly along the North line of said county road to the north line of the road commonly called and known as the Cut-off Road, at the Southwest corner of Moreland Addition; thence Easterly along the North line of said Cut-off Road and the South boundary of said Moreland Addition to the west bank of Skipanon Creek or River; thence in a southerly direction along the West bank of the said creek or river to the South line of Rodney Acres, thence East along the South line of said Rodney Acres to the southeast corner of the same; thence north along the East side of said tract to its intersection with the center line of Section 27; thence East along the center line of said section to a point where the same would be intersected by the East line of Block 94 of Warrenton Park extended South on a straight line; thence north along the said last mentioned line to the north line of tract "A" of Harriman Addition; thence East along said north line of said tract "A" to the west line of the Brian Lavery D. L. C.; thence North along the West line of said claim to the north line of Section 26,

thence East along the said north line of section 26 to the corner common to Sections 23, 24, 25 and 26 of said Township and Range, thence South along the West line of Section 25 to the North boundary of the County Road leading from Astoria to Warrenton; thence East along the North boundary of said County Road to the middle of the channel of the Lewis and Clark River; thence Northerly along the center of said channel to the ship's channel of Young's Bay; thence Northwesterly down said ship's channel to the South ship's channel of the Columbia River; thence Westerly along the last named channel to the East boundary line of the Town of New Astoria; thence South along the East line of said Town to the Southeast corner of New Astoria; thence West along the South line of New Astoria to the Southwest corner thereof; thence North along the West line of said town to the South boundary of the Ft. Stevens Military Reservation; thence West along the South line of said military reservation to the low tide line of the Pacific Ocean and thence Southerly along said low tide line to the place of beginning.

Officers.

Section 2. The power and authority given to the municipal corporation of the city of Warrenton by this act shall be vested in the mayor and common council and their successors in office, and shall be exercised in manner hereinafter prescribed.

Section 3 was amended, Special Laws of Oregon, 1901, pages 263-7, as follows:

Section 3. The elective officers of said City of Warrenton shall be a mayor and five councilmen. The appointive officers shall be a treasurer, auditor and police judge, who shall be ex officio recorder of said city, attorney and marshal, who shall be nomin-

ated by the mayor, with the approval and confirmation of the council.

Terms of Office.

The mayor, auditor and police judge and treasurer shall each hold his office for the term of one year, and until his successor shall be duly appointed or elected and shall qualify. Provided, however, that those selected to fill vacancies in the aforesaid offices shall hold office for the unexpired term of their predecessors in office. The councilmen shall hold their office for the period of two years, and until their successors shall be elected and shall qualify. Provided, that two of the councilmen chosen at the first election under this charter shall only hold office until the next general election, so that the term of two of the councilmen shall expire at the time of the first general election under this act, and three the next year. At the first meeting of the councilmen after the first general election hereinafter provided for, or as soon thereafter as practicable, the councilmen shall determine by lot which two shall hold office until the first general election under this act and which three the term until the next general election. The marshal and attorney shall hold their offices at the pleasure of the appointing powers. The terms of office shall begin on the first Monday after each election.

Terms Recorder and Auditor and Police Judge Synonymous

Whenever the term recorder is hereafter used in this act, it shall be held to be used interchangeably with the term auditor and police judge, and all duties in this charter designated as the duties of the recorder shall be performed by the officer in this charter designated as the auditor and police judge.

Qualifications of Municipal Officers.

Section 4. No person shall be eligible to any office in this municipal corporation who at the time of his election is not entitled to the privilege of an elector under the laws of the state of Oregon; and no person shall be eligible to the office of mayor, councilman or recorder who has not in addition thereto resided within the corporate limits of the city, as hereinbefore defined, for the period of one year immediately preceding such election, and has taxable property within the city upon which he pays a tax.

Section 5 Amended.

Section 5 was amended by an initiative bill enacted by the people at the special election held on November 25, 1912, as follows.

Section 5. There shall be a general election held in the City of Warrenton on the third Wednesday of December of each year at which time all elective officers of the City shall be elected by the qualified voters thereof.

**Designating Place and Appointing Board
of Elections.**

Section 6. The common council shall designate the place or places of holding such election and shall appoint three judges and two clerks of election for each voting place, who shall possess the qualifications of electors.

Notice of General Election.

Section 7. The recorder shall, under the direction of the common council, give a ten days' notice of such general election of the officers to be elected and the place or places of holding the election.

Qualifications of Voters.

Section 8. No person shall be qualified to vote at

any election under this act who is not entitled to the privilege of an elector according to the general laws of this state, and who has not resided within the corporate limits of the city, as hereinbefore described, for three months next preceding such election, and who does not own property subject to taxation within the town limits.

Section 9 Amended.

Section 9 was amended by an initiative bill enacted by the people at the special election held on November 25, 1912, as follows:

Naming Hours of Election.

Section 9. All elections shall be by ballot and shall commence at 9 A. M., and close at 7 P. M., of the same day, but the judges may, in their discretion close the polls at noon for one hour.

Failure of Judge to Attend.

If any Judge of election shall fail to attend and serve at the proper time, the voters then present, may elect another to serve in his place, and if any clerk shall fail to attend and serve at the proper time, the Judges may appoint one to serve in his place.

Form of Ballot.

The form of ballot and manner of conducting the election shall be determined by the Common Council.

Election Returns to be Filed with Recorder.

Section 10. On or before the second day after the election the returns thereof must be filed with the recorder, and on the said second day or sooner if the returns are in, the recorder shall call to his assis-

tance the mayor of the city and they shall then canvass the returns of the election.

Certificates of Election.

Section 11. The recorder shall issue certificates of election of the successful candidates at such election under his hand and the seal of the city, and the original poll books and returns must be filed with the recorder in his office and preserved.

State Election Laws to Apply.

Section 12. All laws of this state regulating and governing general elections and proceedings and matters incidental thereto, not inconsistent with this charter, shall apply to and govern elections under this act.

Australian System Not to Apply.

Provided, that the provisions of the Australian system shall not apply to elections under this charter, except so far as they may be adopted by ordinance.

Contested Electors—How Determined.

Section 13. Contested elections for any city office, except that of councilman, must be determined according to the laws of the state regulating the proceedings in contested election cases of county officers; but the common council shall be the judge of the election of its own members, and, in case of contest between two or more persons claiming to be elected thereto, must determine the same.

Section 14 Amended.

Section 14 was amended by an initiative bill enacted by the people at the special election held on November 25, 1912, as follows:

Time and Name of Taking Office.

Section 14. Every officer elected under this Act shall take his office on the second day of January after the election at which he was elected, except as otherwise provided in this act, and by such time such person must qualify therefor, by taking and filing with the Auditor and Police Judge, an oath or affirmation to support the Constitution of the United States, and of this State, and to faithfully perform the duties of his office during his continuance therein. **Provided**, however, that should the second day of January fall upon a Sunday or a holiday, then and in that event, such officer shall take office on the next succeeding day.

Expiration of Office.

And **Provided** further, that the term of officers shall expire on the second day of January, as herein provided for.

Section 15 was amended, Special Laws of Oregon, 1901, pages 263-7, to read as follows:

Offices Vacant.

Section 15. An office shall be deemed vacant upon the death or resignation of the incumbent, or whenever he shall cease to be a resident of the city, and it shall not be necessary for the council to accept a resignation tendered by any officer, or to declare a vacancy in any such case, but the filing of the resignation and the presentment of the same at any meeting of the council shall operate to create a vacancy in any office. The offices of auditor and police judge, and marshal shall be deemed vacant whenever the incumbent thereof shall be absent from the city for a period of thirty days without the permission of the mayor or council. The office of mayor or councilman shall be deemed vacant whenever any

incumbent thereof shall fail to attend three consecutive meetings of the common council, unless absent upon leave of the council first obtained, or unless such absence is afterwards excused, or whenever any person elected to the office of mayor or councilman shall fail to qualify therefor within the time provided in this act.

Vacancies in Office—How Filled.

Section 16. All vacancies in the elective offices, except mayor, of the city of Warrenton shall be filled by appointment by the mayor, to be ratified by the council, and vacancies in the mayor's office shall be filled by the council, and the officers so appointed shall hold their office until the next general election, and until their successors are duly elected and qualified.

Powers and Duties of Officers.

Section 17. The mayor shall preside over the deliberations of the common council when in session; he is not entitled to vote, except in tie vote of the members of the council; he also has authority to preserve order, enforce the rules of the council and determine the order of business, subject to such rules and to an appeal to the council.

Mayor to Hold Court—When.

Section 18. During the temporary absence of the auditor or if for any reason he is unable to act, the mayor is authorized to hold court for the trial of all offenders against the ordinances of the city. He shall at such time have jurisdiction of all crimes defined by any ordinance of the city, and of all actions brought to recover or enforce any forfeiture or penalty declared or given by any such ordinances.

Mayor to Approve all Official Undertakings.

Section 19. The mayor shall take and approve all official undertakings which the ordinances of the city may require any officer to give as security for the faithful performance of his duty, or any undertaking which may be required of any contractor for the faithful performance of his contract; and when he approves such undertaking he must immediately file the same with the recorder.

Mayor to Approve Ordinances.

Section 20. No ordinance passed by the council shall be of any force or effect until approved by the mayor, except as hereinafter provided. Upon the passage of any ordinance, the enrolled copy thereof, attested by the recorder, shall be submitted to the mayor by the recorder, and if he approve the same he shall write upon it "Approved," with the date thereof, and sign it with his name of office; and thereupon, unless otherwise provided therein, such ordinance shall become law and become of force and effect.

Ordinance Not Approved to be Returned to Recorder With Reasons.

Section 21. If the mayor do not approve of any ordinance so submitted, he must within ten (10) days return the same to the recorder with his reasons for not approving it, and if the mayor do not so return said ordinance with his disapproval it shall become a law as if he had approved it.

Council May Pass Ordinance Over Mayor's Veto

Section 22. At the first meeting of the common council after the return of an ordinance from the mayor not approved, the recorder shall deliver the same to the council with the message of the mayor,

which must be read, and such ordinance shall be put upon its passage again, and if three-fourths of all members constituting the council vote in the affirmative it shall become a law without the approval of the mayor, and not otherwise.

Timing Council Meetings and Defining Object Thereof.

Section 23. It shall be the duty of the councilmen to meet in common council at least once in each month; to fix the times and places of their meeting, to device and adopt all such measures, regulations and ordinances connected with the police, security, tranquillity, cleanliness, improvement and ornament of the city and the public prosperity and welfare, and the management of the finances and public expenditures of the city, as shall be expedient from time to time, and in accordance with the charter of the city.

Duties and Powers of Auditor and Police Judge

Section 24. The auditor shall be **Ex Officio** Clerk of the common council, and shall perform all duties required of him as such and such as shall be prescribed by ordinance from time to time; he shall have all the power, jurisdiction and authority of a justice of the peace and magistrate in all criminal and civil matters arising within the city, and in all civil and criminal proceedings had before him he shall be governed by the law relating to justices of the peace; he shall have exclusive, original jurisdiction over all violation of city ordinances, and may hold to bail, fine or commit all persons found guilty thereof; and in a proceeding for the violation of a city ordinance the trial shall be without a jury. The common council may limit by ordinance the number of witnesses to be subpoenaed at the expense of the city on the

part of any defendant on trial for the breach of the city ordinances, and may regulate the fees of witnesses; there shall be no right of appeal from the decision of the recorder for the violation of any ordinance of the city, unless the sentence be for imprisonment for ten days or more or for the payment of a fine exceeding twenty (\$20) dollars; but in such case the defendant may appeal to the circuit court of the state of Oregon for Clatsop county, upon undertaking, with sureties to be approved by the recorder, conditioned to pay all costs, and that the defendant will render himself in execution of any judgment that may be affirmed and not otherwise.

To Issue Licenses.

Section 25. The auditor shall issue all licenses required by any city ordinance; he shall keep a true account of all fines, costs and other moneys received by him, and he must pay the same to the treasurer weekly, and take receipts therefor; he shall keep a separate docket of all city cases, and make a report in writing to the common council at its first meeting in each month of his doing therein.

Duties and Powers of City Marshal.

Section 26. The marshal shall have the power and authority of a constable within the limits of the city; and it shall be his duty in addition to the duties prescribed for him by the common council to execute and return all process issued and directed to him by the recorder or by any legal authority; he shall attend on the recorder's court, and the meetings of the common council; he shall arrest on complaint or otherwise, as other peace officers, all persons found guilty of a breach of the peace or a violation of the city ordinances or of the laws of the state, and bring them before the recorder or other legal authority for

trial; he shall be a keeper of the city prison and the city pound, and shall be a conservator of the peace generally; he must keep a correct record of all arrests made by him or his deputies, showing the time when and the cause or complaint upon which such arrests were made, and must make a full and complete report thereof in writing to the common council at its first regular meeting in each month, he may appoint such deputies as the council shall allow to act as nightwatchmen or daywatchmen who shall receive for their services such compensation as the council may prescribe; but any and all appointments of his deputies shall be first submitted to and approved by the common council, and when so approved such deputies shall take the oath of office, and the marshal shall be responsible for their conduct. It shall be the duty of the marshal to superintend all improvements in public streets, side and crosswalks, and alleys, drains, tide gates and dykes, and see that all streets, side and crosswalks, drains, tide gates and dykes are kept in repair, clean and free from all obstructions; and he shall superintend all public squares, waterworks and other public works of the city, except in such cases as the common council may otherwise prescribe; and he shall do and perform all such other duties as may be required of him by this act, and the ordinances and the regulations of the city, and that the council may from time to time prescribe.

Duties of City Treasurer.

Section 27. It shall be the duty of the treasurer to receive all moneys that shall come to the city, whether by taxation or otherwise, and to pay out the same upon warrant of the mayor, attested by the recorder, and to do and perform all such other acts as shall be prescribed for him by the common coun-

cil; he shall make out and present to the common council at its first meeting in December of each year a full and complete statement of the receipts and disbursements of the preceding year, and at the end of his official year make a full settlement with the common council, and pay over and deliver to his successors in office all moneys and property in his hands and belonging to the city at such time.

ORGANIZATION AND POWERS OF COUNCIL

President of Council.

Section 28. At the first meeting of the common council after annual elections in each year or as soon thereafter as practicable the council shall choose by ballot one of its members to preside over the council and perform the duties of the mayor in his absence or inability to act; he shall be designated as "President of the council," and in the absence of the mayor from the city or if he be from any cause unable to act said president of the council shall have and exercise the powers and perform all the duties of the mayor; and should both of said officers fail to attend any meeting, a quorum of the council present may elect a president from their number for the purpose of the meeting, who shall be designated as president of the council **pro tem.**

Fixing Time and Place of Meeting.

Section 29. The council shall fix the time and place of holding its stated meetings, and may be convened by the mayor, or in his absence or inability to act by the president of the council, at any time.

Defining a Quorum.

Section 30. A majority of the members of the

council shall constitute a quorum to do business, except when otherwise provided, but a smaller number may meet and adjourn from time to time, and compel the attendance of absent members in such manner and under such penalties as the council may have previously prescribed.

Mayor May Act as Councilman to Make Quorum.

For the purpose of a quorum, the mayor shall be considered a member of the council.

Council to Make Rules of Procedure and Punish Violations.

Section 31. The common council may prescribe rules for its proceedings, punish any member or other person for disorderly conduct at any meeting of the council, and with a concurrence of two-thirds of all its members may expell a member.

Council to Keep Journal of Proceedings.

It shall keep a journal of its proceedings, and at the call of any member cause the yeas and nays to be taken on any question before it and entered on the journal, and its proceedings shall be public.

Section 32 Amended.

Section 32 was amended by an initiative bill enacted by the people at the special election held on November 25, 1912, as follows:

January 2nd, Compulsory Meeting.

Section 32. On the second day of January next following the general election, there must be a regular meeting of the newly elected Common Council, and such meeting is appointed by this Act, and no notice or call thereof is necessary.

Styles of All Ordinances.

Section 33. The style of every ordinance shall be: "The City of Warrenton does ordain as follows:"

Section 34 was amended, Special Laws of Oregon, 1901, pages 263-7, to read as follows:

Powers of Council.

Section 34. The common council shall have power and authority within the limits of the City of Warrenton.

To Make By-Laws.

1. To make by-laws and ordinances not repugnant to the laws of this state or of the United States.

To Levy Taxes.

2. To levy a tax, not to exceed five (5) mills, or one-half of one per cent per annum, upon all property within the city, both real and personal, which is taxable by law for state and county purposes.

To Levy Special Tax.

3. To levy and collect a special tax of not more than five (5) mills per annum upon all assessable property in the city for any specific object within the authority of this municipal corporation, including the payment of any existing debt, but the ordinance providing therefor must specify the object thereof and the estimated amount necessary thereof.

Dyke Tax Levy.

For the purpose of constructing, repairing or maintaining a dike, to levy a special tax, not to exceed two per cent, upon the taxable property of the dike district in which the dike to be constructed, repaired or maintained shall be located. **Provided,** that, before such tax in excess of five mills can be

levied, a majority of the taxpayers in said district shall first have voted in favor thereof, either at a general election or special election held for that purpose.

To Expend Money for City Purposes.

4. To appropriate money for any item of city expenditures, and to provide for the payment of the debts and expenses of the city.

To Grant Licenses.

5. To license, tax and regulate theatrical and other exhibitions, shows, public amusements, billiard table and bowling alleys; and no tax or license given under this act shall be less than that required by the general laws of the state in force at the time such license is given.

To Grant and Regulate Liquor License.

6. To license, tax, regulate and restrain the sale or giving away of spirituous, malt or vinous liquors or other intoxicating compounds; and to provide by ordinance for the closing of any and all places where there is kept for sale or given away any spirituous, malt or vinous liquors or other intoxicating compounds on the first day of the week, commonly called Sunday, and on the days of any general or special election held in the City of Warrenton; and to prohibit the sale or giving away of any spirituous, malt, vinous liquors on such days; and further provide by ordinance for the regulation and prohibition of the sale or giving away of spirituous, malt or vinous liquors or other intoxicating compounds between the hours of 11 o'clock P. M. and 5 o'clock A. M. of the following day, inclusive; and to provide for the closing of any and all places where there is kept for sale or giving away any spirituous, malt or vinous liquors

or other intoxicating compounds between the hours of 11 o'clock P. M. and 5 o'clock A. M. of the following day, inclusive, and to provide for the punishment, by fine or imprisonment, for the violation thereof.

Method of Obtaining License.

Provided, that, should the common council, by ordinance or otherwise, determine to allow the sale or giving away of spirituous, malt or vinous liquors or other intoxicating compounds in the city, it can only be allowed under the following condition, in addition to such other terms as the council may require, viz: The applicant for license shall give notice, by posting in three public places in the city for ten days before making application, that he will, at a certain time therein named, apply to the common council for a license or permission to sell or give away spirituous, malt or vinous liquors or other intoxicating compounds, naming also the place where the same is proposed to be done. Then, if twenty legal voters of the city shall file with the recorder of the city prior to the date on which said application shall be made a protest against granting the petition of said applicant, the petition shall not be granted, except the petitioner file with the recorder a petition signed by legal voters of the city equal in number to the majority of votes cast at the last election, and a greater number than may be presented by a remonstrance, of legal voters in the city.

License Tax Amount.

No such license tax or permission shall be for a less sum than that required by the general laws of the State of Oregon.

Other Licenses.

7. To license, tax and regulate auctioneers, tav-

erns, drays, hacks, wagons, hawkers, peddlers, brokers, pawn-brokers, money changers, traveling salesmen and solicitors, and all business houses, branches of business or professions not elsewhere in this act provided for.

Bawdy Houses.

8. To suppress, restrain and prohibit bawdy houses, houses of ill-fame and prostitution, gaming and gambling houses, all exhibitions or shows of an immoral nature, opium dens, and the smoking or otherwise using of opium or other narcotic drugs, and to define and declare by ordinance what shall constitute any of the above named places and practices; to punish by fine or imprisonment, or both, any person owning, controlling or being in possession of any house or building, or any rooms or room, who uses the same or any part thereof, or permits the same or any part thereof to be used, for any of the purposes named in this sub-section; to punish by fine or imprisonment, or both, any and all persons who occupy, visit or resort to any such house or room, and any and all persons who engage in gaming or gambling, as the same may be defined by ordinance.

Contagious Diseases.

9. To make regulations to prevent the introduction of contagious diseases into the city, and to remove persons affected with such diseases therefrom to suitable hospitals provided by the city for that purpose; to secure the protection of persons and property therein, and to provide for the health, cleanliness, ornament, peace and good order of the city.

Nuisances.

10. To prevent and remove nuisances, and to declare by ordinance what shall constitute the same,

and to make the expense of abating a nuisance a lien upon the property where such nuisance exists.

Franchise for Light and Water.

11. To make provision for lighting the streets and supplying the city with light, for supplying the city with good and wholesome water, and for the erection of such works within or without the city as may be necessary or convenient for supplying such water and light and to grant to any private person or corporation, with such conditions and regulations as the common council may prescribe, a franchise or permission to erect and construct such works within the limits of the city, and with all rights and powers appurtenant thereto, including the right to use the streets and public highways for the purpose of laying pipes and wires and erecting poles and wires for conveying electricity, etc. **Provided**, that the council shall grant no franchise to any individual or corporation for a longer period than thirty (30) years.

Dykes, Ditches and Sewers.

12. To locate, construct and maintain any ditch, canal or pipe for the conducting of water, and any drain, sewer or culvert, tide gate or dyke, which it may deem necessary or convenient; and, for such purpose, it shall have the right to enter upon any land between the termini of such ditch, canal, pipe or drain, sewer or culvert or dyke for the purpose of examining, locating and surveying the line of such ditch, canal, pipe, drain, sewer or culvert, or dyke, doing no unnecessary damages thereby, and appropriate so much of said land as may be necessary, not to exceed one hundred (100) feet in width, for the construction and maintenance of such ditch, canal, pipe, sewer, culvert or dyke, in like manner as provided by other laws of the state for the appropriation

of land or the right of way by corporations; and to appropriate and divert from its natural course or channel, for the purpose of draining or flushing any drain, sewer, or culvert, any spring or stream of water, or other body of water.

Vagrancy.

13. To provide for the punishment, restraint and employment of vagrants; to provide a city prison and a work house and a house of correction for the reception of vagrants and vicious persons and to prescribe rules and regulations for the government of the same, and to compel all persons who may be imprisoned within the city prison for vagrancy or any violation of any city ordinance to work on the public streets under the control of such city officers, and to provide for the punishment of any such person who shall refuse to work when ordered to do so.

Prevention of Fires.

14. To provide for the prevention and extinguishment of fires and for the preservation of property endangered thereby, and to provide for the appointment and duties of officers required for such purpose.

Licensing Dogs and Other Animals.

15. To license, tax regulate or prohibit any or all domestic animals, including dogs and fowls, from running at large within the limits of the city or any specified part thereof; and to license, tax and regulate or prohibit the keeping or harboring of any of the aforesaid animals, including dogs and fowls, within the limits of said city or any part thereof; and to provide for the taking up, impounding, killing or otherwise disposing of such animals, or their sale or destruction, if not redeemed; to regulate,

license and prohibit and restrain and tax the keeping of stallions, and all other animals kept or allowed to stand for breeding purposes; to regulate, restrain or prohibit the driving of bands of horses, cattle, sheep, mules or any other animals through the streets of the city.

Police.

16. To provide for a police.

Market Places and Slaughter Yards.

17. To regulate the location and management of market places and slaughter yards.

Regulating Explosives and Fire Arms.

18. To regulate the sale and storage of gunpowder and other combustible or dangerous materials; and to regulate and prohibit the use of guns, pistols, and firearms, firecrackers, bombs and detonating works of all descriptions and to prohibit the carrying of all dangerous weapons in a concealed manner within the limits of the city.

Drunkenness.

19. To restrain and prohibit intoxication, fighting and quarreling on the streets, and any disturbance in any public place, or any unlawful or indecent practice, and to define what shall constitute the same.

Fees and Compensation of Officers.

20. To establish and regulate the fees and compensation of all officers of this municipal corporation. **Provided**, that the mayor or councilmen shall receive no compensation for the first five years under this charter.

Fines and Punishments.

21. To provide for the punishment of a violation

of any ordinance of the city by fine or imprisonment, not exceeding \$300 fine or ninety days' imprisonments, or both, or a forfeiture not exceeding \$200 for each offense.

Obscene Literature.

22. To prevent and prohibit the sale, circulation and disposition of obscene literature, including books, papers, prints, pictures and the like, and to punish any persons who sells or offers for sale, or who circulates or disposes of, any such literature, and to define and declare from time to time what, if any, books, papers, prints, pictures and the like are obscene within the purpose and province of this provision.

Cripples.

23. To prohibit the exhibition of deformed and crippled persons, and to prohibit such or any persons from begging upon the streets or public places.

Regulating Speeds.

24. To regulate the rate of speed upon all railroads within the corporate limits, and to prevent fast and furious riding and driving upon the streets and alleys therein; to regulate and prohibit the running or driving of any bicycle, tricycle or other similar wheeled vehicle, or any steam, traction or portable engine, or reaper or other harvesting machinery through the streets of the city or any specified part thereof.

Unnecessary Noises.

To suppress all unnecessary blowing of whistles of locomotives and engines at machine shops and factories and elsewhere, and to define what shall constitute the same, and to provide for the punish-

ment by fine or imprisonment, or both of any person or persons doing or causing the same to be done.

Fire Regulations and Limits.

25. To prevent and prohibit the erection of wooden buildings within the fire limits, to be ascertained and defined by the council, and to restrict and limit the height of buildings within such limits; to provide for and determine the number and size of places of entrance to and exit from all public halls, churches and other buildings used for public gatherings, and the mode of hanging doors thereat; and to provide for the naming and numbering of streets and the numbering of houses; to permit, allow and regulate the laying down of tracks for street cars and other railroads upon such street or streets as the council may designate; to regulate and prohibit the exhibition and hanging of banners and placards, flags and signs, in or across the streets or from houses or buildings; to provide for the cleaning and sprinkling of streets, and to prohibit persons from roaming the streets at unreasonable hours.

Wharves.

26. To regulate and govern the location, erection and maintenance of wharves on the waterfront, and prevent the building and placing of obstructions in the navigable waters of the City of Warrenton.

Taking Property for Delinquent Tax, etc.

27. To purchase, take and hold real property when sold for delinquent tax or assessment levied or imposed under the authority of the City of Warrenton, and to sell and dispose of the same.

Surveying Streets and Establishing Boundaries.

28. To provide for the survey of the blocks and

streets of the city, and for making and establishing the boundary lines of such blocks and streets.

Employ a Surveyor.

29. To employ a surveyor and provide for his compensation.

Printing.

30. To provide for the printing and publishing of the charter and ordinances of the city, or any other matter that the common council may deem necessary or expedient to have published.

To Borrow Money.

31. To borrow money on the faith of the city, or loan the credit thereof; but the city shall not at any time be made liable for a larger amount than \$3,000, except in case of waterworks as hereinafter provided.

Issue Bonds for Water Works.

32. For the purpose of building, buying and maintaining waterworks for the city, to issue and dispose of bonds of the city to the amount of \$250,000, bonds to be issued in convenient denominations and to run not less than twenty years, and to bear interest not to exceed six per cent per annum, payable semi-annually.

Bonds to be Voted.

Provided, that before any of said bonds can be issued the question shall be submitted to a vote of the resident freeholders of the city and a majority of said vote be in favor of said issue. The ordinance submitting the matter to the vote of the resident freeholders shall state the proposed plan of works, the estimated cost, and the amount of bonds the council desire to issue therefor.

Auditing Accounts.

33. To provide such rules as may be necessary for the proper auditing and payment of accounts against the city.

Bonds for Officers.

34. To require of all officers appointed under this act, or any ordinance, a bond and security for the faithful discharge of their respective duties.

35. The city council shall have exclusive control of all license.

36. To provide for the erection of a City Hall not exceeding \$2000 and to levy a tax or issue municipal bonds for the payment thereof under the provisions of the Charter.

**OPENING, LAYING OUT AND WIDENING
STREETS AND ALLEYS.**

Section 35. The common council of the city of Warrenton has power and authority with the city, whenever it deems it expedient, to open, lay out, establish, widen, straighten, close, vacate and extend the streets and alleys, and to appropriate private property for that purpose; **provided**, that no street or a part thereof shall be vacated or abolished against the objections of the owner of the property abutting upon said street or part of street, without due compensation being made to him for any damage occasioned to his property thereby. Such compensation shall be assessed and paid in the manner provided for assessments and payments, as in case of street improvements, and the amount of damage may be determined in the same manner as damages are determined in the case of laying out of streets.

Method of Doing the Above.

Section 36. Whenever the council shall deem it expedient to lay out and establish or widen a street or alley, it shall direct the city surveyor to survey such street or alley or such widened street or alley, as the case may be, and to mark the boundaries thereof, and to make his report containing a part of the survey of such street or alley and a full and perfect description of such street or alley and the boundaries thereof and of the portion of each lot or part to be appropriated for such street or alley, to the council; which report when so made, if satisfactory to the council, shall be adopted by an ordinance embodying such report. The city surveyor shall make such survey, and report within twenty days from the time same is ordered, unless the council grant further time.

Viewers and Assessors.

Section 37. Thereafter, and within thirty days of the adoption of such report, the council shall appoint three disinterested freeholders of the city of Warrenton, no kin to any owner or person interested in any property to be appropriated possessing the qualifications of jurors of the circuit court of the state of Oregon for Clatsop county, to view such street and make an assessment of the damages and benefits as provided in the next following section of this act, and shall assign a day and place for them to meet, and shall cause ten days' notice to be given by publication in some newspaper published in the city of Warrenton of the appointment of such viewers, with their names and the time and place appointed for them to meet, and specifying with convenient certainty the boundaries and termini of the proposed street or alley to be laid out, established or widened, as the case may be, and the boundaries

and description of the private property to be appropriated for such purpose.

**Auditor to Notify and Instruct Viewers
and Assessors.**

Section 38. The recorder shall immediately, and at least five days before the time assigned for such meeting, cause such viewers to be notified of their appointment and of the time and place for such meeting; and such viewers shall meet at time and place designated and take an oath faithfully to discharge the duties assigned them, and shall then or on any other day to which they may adjourn, not exceeding one week proceed to view the proposed street or alley, and to assess and determine how much less valuable, if any, any lands, tenements, hereditaments or premises, or any part thereof, through, or over which, or any part of which, such street or alley is to be laid out, established or widened, will be rendered by the laying out, establishing or widening of such street or alley; and if several parties have different estates or interests in any lot or part thereof, or any improvements thereof, the damages which each of said persons will respectively sustain according to the rules of law in suits of partition; and shall also make a just and equitable estimate and assessment of the value of the benefits and advantages of such street or alley so as to be laid out, established or widened, as the case may be, to the respective owners, lessees or other persons interested in any lands, tenements, hereditaments and premises any part of which is required for the opening, laying out or widening of such street or alley, in excess of the damages which any owner, lessee or any other person interested will sustain by reason of the opening, laying out, establishing or widening of such street or alley; and of the value of the benefits

and advantages of such street or alley to the respective owners, lessees or other persons interested in any lands, tenements, hereditaments and premises not required for the purpose of laying out, opening, establishing and widening of such street or alley but fronting on or to front thereon, or being at and within half the distance of the next street or alley thereto, and also within one hundred feet of the boundary of the street or alley to be laid out, opened, established or widened, on each side thereof, and which the said viewers shall deem to be benefited by such street or alley, in respect to the respective estate and interest of such owners, lessees and other persons interested in any lands, tenements, hereditaments and premises, and report such assessments to the next session of the council.

Assessment a Lien on Property—Owner Liable.

Section 39. The respective sums so assessed by said viewers upon the owners, lessees or other persons interested in the lands, hereditaments or premises deemed by said viewers to be benefited by the laying out, opening or widening of any such street or alley under the provisions of this act, shall be a lien or charge upon the estate and interest of the respective owners, lessees and other persons interested in such lands, tenements, hereditaments and premises for and on account of which the said respective sums shall be assessed by viewers upon the said respective owners, lessees or other persons interested therein, and shall be entered in the docket of the city liens in like manner as an assessment for street improvements in said city of Warrenton, and the said owners, lessees and other persons interested as aforesaid shall moreover be respectively and severally liable to pay such assessment, and in case no appeal is taken as to any such assessment bene-

fits the said assessment shall be paid to the city treasurer of the city of Warrenton within ten days from the expiration of the time limited for appeal, or the same shall be deemed delinquent, and thereupon, whenever the council so order, shall be collected in like manner as provided in this act for the collection of delinquent taxes for street improvements. All moneys arising from such assessment of benefits shall be kept in a separate fund, to be applicable to the satisfaction of damages assessed to the owners and other persons interested in property taken for the purpose of laying out, opening, establishing or widening the street or alley in which such benefits are assessed. The liability to pay a tax, except the benefits provided in this act, to satisfy any such assessment of damages shall not disqualify any person from serving as such viewer.

Council May Set Aside Viewers Report.

Section 40. If it shall appear to the council that the damages assessed are unreasonable or that the benefits assessed are insufficient in any respect, the council may set aside such view, and order another view under the same regulations as provided in case of the first view. The viewers shall receive as compensation for their services \$2 per day, to be paid by the city of Warrenton.

Property Deemed Appropriated—When.

Section 41. If no further view be ordered the council shall, at the expiration of the time hereinafter limited for appeal, if no appeal shall be taken and immediately after judgment is rendered if an appeal is taken, make an appropriation for damages and costs, as the case may be, assessed by such viewer or by the jury on appeal against the city, and shall order warrants drawn upon the treasury, payable out

of a fund to be provided for that purpose, for the amount of damages and costs assessed to the owner or owners or other persons interested in each lot or part thereof, or of the improvements thereon, in favor of the owner or owners or other persons in interest; and as soon thereafter as the full amount of such appropriation shall be in the city treasury subject to such warrants, and the amounts respectively assessed shall be tendered to the parties entitled to the same, such property shall be deemed appropriated for the purpose of such street or alley, and not otherwise; **provided**, that no process of any court shall issue to compel any appropriation of damages on the issuing of warrants for the same.

Owner or Owners May Appeal.

Section 42. The owner or owners of any lot or part thereof sought to be appropriated as aforesaid, or of the improvements thereon, or any persons having an interest therein, or any person against whom an assessment of benefits has been made, may appeal to the circuit court of the state of Oregon, for Clatsop county from such report and assessment of damages and benefits. Any number of persons may join in such appeal, and the only question to be determined by such appeal shall be the question of damages and benefits.

Method of Appeal.

Section 43. An appeal shall be taken by serving a notice of appeal upon the mayor and recorder and filing an undertaking with one or more sureties, who shall justisfy in the same manner as bail upon arrest in a civil action conditioned that the appellant will pay all costs and disbursements that may be awarded against them on the appeal, not exceeding \$300, together with proof of service of such notice, in the

office of the clerk of the circuit courts of the state of Oregon for Clatsop county, within twenty days from the adoption of the report of the viewers of the council.

Appeal Decided by Jury.

Section 44. Such appeal shall be deemed, and be heard and determined and the judgment thereon enforced, so far as practicable, in the same manner as an action at law. The jury shall view the proposed street or alley, the property to be appropriated, and the property against which benefits are assessed; and proof of damages and benefits may be introduced by the city and the appellants. The city shall be considered the plaintiff.

Jury to Determine Damage or Benefit.

Section 45. The jury shall assess and determine by their verdict how much less valuable, if any, each lot or part thereof with the improvements may be rendered by the opening, laying out, establishing or widening such street or alley; and, in case of persons having different estates and separate interests in any lot or part thereof or of the improvement thereon, shall apportion the same between them; and shall also assess and determine the value of the benefits and advantages, if any, of such street or alley so to be opened, laid out, established or widened, as the case may be, to the respective owners, lessees and other persons interested in any lands, tenements, hereditaments and premises any part of which is required for the opening, laying out, establishing or widening of such street or alley, in excess of the damages which the owner, lessee or other person will sustain by the opening, laying out, establishing or widening of any such street or alley; and assess and determine the value of the benefit and

advantage of such street or alley to the respective owners, lessees or other persons interested in any lands, tenements, hereditaments and premises not required for the purpose of laying out, opening, establishing or widening any such street or alley, but fronting on or to front thereon, or being at or within half the distance of the next street or alley thereto and also within one hundred feet of the boundary of the street or alley to be laid out, opened, established or widened, on each side thereof, and which the jury shall deem to be benefited by such street or alley, in respect to the respective estates and interests of said owners, lessees and other persons respectively so interested in any lands, tenements, hereditaments, and premises; but the issues, testimony and verdict upon such appeal shall be confined to the parties appealing, and the jury shall not reassess any damages or benefits unappealed from.

Verdict of Jury Final.

The verdict of the jury shall be final and conclusive determination of the matter of such assessment. On an appeal from the report and assessment of damages and benefits, the fact that one called as a juror is a taxpayer within the city of Warrenton shall not disqualify him from sitting as such juror.

Judgment Against Owners—When.

Section 46. If the appellants or any of them fail to recover greater damages or receive a more favorable assessment of benefits, as the case may be, than were assessed by the viewers, judgment shall be rendered against them and their sureties on the appeal bond for their proportion of costs of such appeal to be paid **pro rata** according to the amount of

damages and benefits assessed; and in all cases against the appellants appealing from an assessment of benefits, for the amount of benefits assessed by the jury against them, and against the city for the damages assessed to the owner, or other persons interested in any lands, tenements, hereditaments and premises, and for such costs of said appeal as are not adjudged against the appellant.

Costs and Fees.

Section 47. The same costs and fees shall be taxed and paid upon such appeal as are allowed in other actions.

IMPROVEMENT OF STREETS

Section 48 was amended, Special Laws of Oregon, 1901, pages 263-7, to read as follows.

Section 48. The council shall have the power and authority to grade, pave, plank, gravel, curb and otherwise improve and repair the highways, streets, avenues, lanes and alleys, within the limits of the city. Any of the terms aforesaid shall be deemed to include the construction of crosswalks, gutters and curbing. The power and authority to improve streets shall include the power and authority to improve the sidewalks and pavements, and to determine and provide for everything convenient and necessary concerning such improvement.

Fee of all Streets Dedicated and Recorded Are Vested in City,—Except.

The fee of all recorded and dedicated streets now within the city is granted to and hereby vested in the City of Warrenton, save and except all streets extending to the Columbia River, the fee of which

is hereby granted to and vested in the City of Warrenton out to low-water mark in said Columbia River only; and the aforesaid streets shall, to the extent aforesaid, remain open as thoroughfares for the use of the public.

Defining the Term Improvement.

The term improvement, as in this section used, shall be deemed to include grading, paving, plank-ing, graveling, curbing, constructing and otherwise improving and making embankments or excavation or ditches or drains, in any of the aforesaid streets, or the construction of sewers or drains.

Fronting and Abutting Property to Pay for Improvements.

No part of the expense of improving any street, lane, alley or intersection of streets, or repairing the same, except as hereinafter provided, shall be paid from the general fund of said city but the whole of the expense of such improvements shall be defrayed by special assessment upon lots, lands and premises inclusive of water frontage, out of the harbor line, included in a special assessment district to be constituted of the land fronting or abutting upon the part of the street, alley or highway so improved or proposed to be improved; which said lots, lands and premises shall be by the council included within a special assessment district for the improvement proposed or made, and no other lands than those fronting or abutting upon the street or alley so improved, or proposed to be improved, shall be included within any special assessment district for such improvement.

Improvements Fronted by Public Grounds or Buildings.

When expenses for any improvement or repairs

shall be assessed to the property in a special assessment district, and there shall be lands belonging to the city or used for public buildings or public grounds, and exempt by law from such assessment, fronting or abutting upon such improvement, such part of the expense of such improvement, as would be justly apportionable to such public ground, buildings or city property, shall be paid from the general fund of said city.

Council to Control Sidewalks.

Section 49. The city council shall have control of all sidewalks in the public streets and alleys of the city, and may prescribe the grade thereof.

Power to Construct and Repair.

They shall have the power to construct and maintain sidewalks and crosswalks in the public streets and alleys, and charge the expense thereof upon the premises and lots adjacent to and abutting upon such lots and premises, and to keep them in repair at all times, and so construct and lay the same upon such lines and grades and of such width, materials and manner of construction, and within such time, as the council shall by ordinance or resolution prescribe.

Owners to Keep Sidewalks Clean.

The council shall also have the power to cause and require the owners and occupants of any lot or premises to remove all earth, snow and ice from the sidewalks in front of or adjacent to such lots and premises, and to keep the same free from obstructions, encroachments, incumbrances, fifth and other nuisances. If the owner or occupant of any lot or premises shall fail to construct or maintain any particular sidewalk, as mentioned and prescribed above,

or shall fail to keep the same in repair, or to remove the earth, snow, ice and filth therefrom, or to remove and keep the same free from obstruction, encroachments, incumbrances or other nuisances, or shall fail to perform any other duty as required by the council in respect to such sidewalks, within such time and in such manner as the council shall require, the council may cause the same to be done and such sidewalk to be constructed or repaired at the expense of such owner or occupants, and the amount of all expenses incurred by the council thereby, together with interest at the rate of ten cent per annum, shall be a lien upon the property.

Street Improvements—How made.

Section 50 was amended, Special Laws of Oregon, 1901, pages 263-7, to read as follows:

Section 50. Whenever the council shall determine to make any of the aforesaid improvements, or any improvements, and assess the cost of the same upon any lots, lands or premises within the limits of said City hereinbefore authorized to be assessed for such improvement, and said council shall so declare by resolution or ordinance, stating in general terms the improvement, and shall designate in said resolution or ordinance the district of lands and premises upon which such special assessment shall be levied, it shall be sufficient to state in general terms in such resolution or ordinance, in describing the proposed improvement or repair, whether the street, lane, alley or other highway or improvement is to be improved or repaired by grading or plank-ing or paving or piling or underpinning, or making of excavations and embankments, or any one or all of the aforesaid methods of improvements, or in any other generally designated manner, or, in case of a sewer or drain, whether the same shall be made in

the form of an excavation or laid upon the ground, and also the extent and size of said improvement, but no more particular statement of any such improvement shall be therein required. By such resolution or ordinance, the council shall also direct notice of their intention to make such improvement or repair to be given by publication in a weekly newspaper published in said city, for one publication thereof, or by posting said notice in three public places in said city one day, which date of publication shall be at least one week prior to the next regular meeting of the council. Said notice shall contain a statement of the improvement to be made in such general terms as can be used in said resolution or ordinance, and a statement of the district to be assessed for said improvement or repair. If a remonstrance against such improvement or repair, signed by the owners of more than half of the property in the district in which the special assessment is to be levied, shall be filed with the auditor and police judge by the time of the next regular meeting of the council following the publication of such notice, no such improvement or work shall be ordered, except by the unanimous vote of all the members of the council. Before ordering any public improvement or repair any part of the expense of which is to be defrayed by such special assessment, the common council shall also, in the resolution declaring their intention to make such improvement direct and cause estimates of the cost and expense of such improvement, or repair, and specifications for the proposed work, to be made by any person or persons by the council designated, and such specifications and estimates shall, when so made be deposited with the auditor and police judge. It shall not be necessary to include within said specifications anything more than a detailed description of the improvement, to-

gether with the dimensions and kinds of material to be used therein, and the width and extent of said improvement. It shall not be necessary to establish the grade of any street, highway, alley, lane, sewer, or other improvement or repair before causing the same to be made, as herein above provided. **Provided,** however, that the council, may, if it deems necessary, establish grades for all or any of the streets, alleys, lanes, or highways within said city, in the manner hereinafter provided. At any time after the expiration of the time in which a remonstrance can be filed, as hereinbefore provided, and within ninety days thereafter, also after such estimates and specifications are deposited, the council may, by ordinance, order the improvement or repair to be made, and prescribe the time and manner of making the same, or limit or extend the time within which same may be made. Whenever the owners of more than one-half of the property fronting or abutting upon any street, lane, alley, or highway within the limits of the City of Warrenton shall petition the common council, and in such petition shall request that the said owners may themselves, or under their direction, undertake and consummate the construction or making of said improvement, the council, after publishing a notice of their intention to improve, as aforesaid, and after the time for a remonstrance for such improvement expires, and after causing an estimate of the expense of such improvement to be made and filed as aforesaid, by ordinance may authorize the said property owners to make and construct the aforesaid improvement by private contract, under the direction of the said common council or of any committee by it designated; and when a certificate of the completion of said improvement, signed by the committee or person by the council designated, shall be filed with the auditor and police judge, the

council may proceed to make the assessment as in this act provided to defray the expense of such improvement, which assessment may be enforced and collected as in this act provided.

Methods in Further Detail.

Section 51 was amended, Special Laws of Oregon, 1901, pages 263-7, to read as follows:

Section 51. When any special assessment is to be made upon the lots, lands or premises in any special assessment district for any improvement, the council shall, by resolution or ordinance, either at the time of ordering the improvement or repair, or before or after said time, direct the same to be made by any committee or person to be designated by said council, and shall state in said resolution or ordinance the amount to be assessed and shall describe or designate the lots and premises and lands constituting the district to be assessed; and the said committee or other person aforesaid, upon receiving the order and directions as prescribed in such resolution or ordinance, shall make out a list of said lots, lands and premises, by proper description and shall designate therein all the lots, lands, premises and parcels of land to be assessed, the valuation thereof, with the names of the reputed owners, and shall levy thereon and against such persons and lots, lands, premises and parcels of land, the amount to be assessed, in the manner directed by the council, and the provisions of this act applicable to the assessment. They shall assess upon each lot or parcel of land such relative portion of the whole amount to be assessed as they, with the approval of the council, may determine; and when such assessment is completed they shall report the same to the council. The cost and expense of any improvement which may be defrayed by special assessment shall include

the costs of survey, if any, specifications, estimates of expense, costs of assessment, printing of notices, if any, and all costs of construction or other work done on said improvement.

**Cost of Improvement Not to Exceed 50
per cent of Last Assessment.**

In no case shall the whole amount levied by special assessment on any lot or premises or parcel of land, for any one improvement, exceed fifty per cent of the value of such lot or parcel of land, as valued and assessed for taxation in the last preceding tax roll of Clatsop County; any cost exceeding that per cent which would otherwise be chargeable on said lot, premises or parcel of land, shall be paid out of the general funds of said city.

**Council May Repair Street From General
Fund.**

Section 52. Whenever in the judgment of the council it is necessary or advisable to repair a street or lane in front of any lot or parcel of land, and the cost of the repair will not exceed \$5 in any one year, or a sum proportionate to \$5 as fifty feet of frontage is to the entire frontage of the lot or parcel of land upon the street, if the lot or parcel of land have more or less than fifty feet of frontage on the street improved, the repair may also be made at the expense of the general fund.

Power of Council in Assessments.

Section 53 was amended, Special Laws of Oregon, 1901, pages 263-7, to read as follows:

Section 53. When any special assessment shall be reported to the council, as in this act directed, the same shall be filed in the office of the auditor and police judge, and by him kept and extended in a book

prepared for the purpose, to be known as the docket of city liens of the City of Warrenton, and as soon thereafter as is practicable the council shall cause a notice of said assessment to be published, by posting copies of said notice in three public places in said city for a period of not less than ten days, or by publication of said notice in a newspaper published and having general circulation in said city, for one publication of said newspaper; and the council shall by resolution, appoint a time, and give notice of said time as aforesaid, when the mayor and common council, or the person or committee making such assessment, will meet to review the assessment. The mayor and council and the committee or person making such assessment shall sit as a board of equalization for the same, and shall have power to lower or raise the whole or any part of such assessment, and to review and correct the same; **provided**, that in case any assessment is raised, the parties affected thereby shall be notified in writing, three days before such change shall be made. Any person objecting to the assessment must file his objections thereto in writing, with the auditor and police judge, by the time fixed for the hearing and review of the same; and the said board of equalization may consider said objections, if any, and grant or disallow the same. They shall have power and authority to review and correct said assessment or raise or lower the same as aforesaid, or they may refer the same back to the assessor or committee making the assessment for correction or revision, or they may annul the said assessment and direct a new one, in which case the same proceeding shall be had as in respect to the previous assessment, if no objections be filed to said assessment, as made by the committee or person making the same, it shall be deemed confirmed without any further action of the com-

mon council with reference thereto; and the entry on the docket of city liens by the auditor and police judge of the fact that no objections were filed, if such be the case, shall be prima facie evidence of the correctness and confirmation of said assessment, and said assessment shall thereupon become final and conclusive, and may be collected as hereinafter provided.

Special Assessments Are Lien on Property.

All special assessments, from the date of confirmation by the council or by the entry made by the auditor and police judge, as aforesaid, constitute a lien upon the respective lots or parcels of land assessed, and such assessment shall immediately become due and payable.

Council May Confirm Assessment by Ordinance.

Notwithstanding that objections may be filed to any assessment, the council shall have the power to disallow the same and confirm the assessment, by ordinance.

Docket of City Liens.

Section 54. The docket of city liens is a book in which must be entered in pursuance of section 53, the following matters in relation to assessments for the improvements of streets: (1) The name of the owner thereof or that of the reputed owner; (2) the number or letter of the lot assessed and the number or the letter of the block, and the town or addition in which it is situated; or, if a tract of land, a description of the tract of land; (3) the sum assessed upon such lot or tract of land, and date of the entry; (4) the time and manner in which the assessment is to be paid.

May Make New Assessment—When.

Section 55. Whenever any special assessment shall in the opinion of the council be invalid by reason of any irregularity or informality in the proceedings, or if any court of competent jurisdiction shall adjudge such assessment to be illegal, or the council shall have failed to assess the cost of any street improvements upon the land properly chargeable therewith, the council shall, whether the improvement has been made or not, or whether any part of the assessment has been paid or not, have power to cause a new assessment to be made for the same purpose for which the former assessment was made. All the proceedings on such assessments and for the collection thereof shall be conducted in the same manner as provided for the original assessment, and whenever any sum or any part thereof levied upon any premises in the assessment so set aside has been paid and not refunded, the payment so made shall be applied upon the reassessment on such premises, and the reassessment shall to that extent be satisfied.

Lien Lawfully Assessed Cannot be Destroyed.

Section 56. No judgment or decree nor any act of the council vacating a special assessment shall destroy or impair the lien of the city upon the premises assessed for such amount of the assessment as may be equitably charged against the same, or as by a regular assessment mode of proceeding might have been lawfully assessed thereon.

City Lien Has Priority.

Section 57. The docket of city liens is a public writing, and the original or certified copies of any matter authorized to be entered therein are entitled to the force and effect thereof and from the date of

the entry therein of an assessment upon a lot or part thereof the sum so entered is to be deemed a tax levied and a lien thereon, which lien shall have priority over all other liens or incumbrances thereon whatsoever.

Council May Declare Assessment Delinquent.

Section 58 was amended, Special Laws of Oregon, 1901, page 275, to read as follows:

Section 58. Upon the confirmation of any assessment and the entry of the same in the docket of city liens, as herein before provided, and a failure by any person assessed, as shown by said assessment roll, to pay his assessment for the period of sixty days, the council may by resolution duly passed or motion duly made and carried at any regular meeting, and duly recorded on the record of the proceedings of said meeting, declare the said assessment due and delinquent.

Section 59 was amended, Special Laws of Oregon, 1901, pages 263-7, to read as follows:

Section 59. At any time after an assessment has been declared delinquent, as in the preceeding section provided, the council may order a warrant issued for the collection of the same, to be issued by the auditor and police judge, directed to the marshal or other person by the said council to be designated, which warrant shall be executed in manner hereinafter provided.

Assessment to Bear Interest.

All assessments shall bear interest at the legal rate from the time of their entry in the docket of city liens, and if same are collected after becoming delinquent, there shall be also paid by the person or persons against whom the assessment is charged a penalty of twenty-five per cent of the amount of

the assessment, which shall be collected under the warrant issued for the collection of the same, and shall be an additional charge and lien against the property assessed until collected and paid.

Validating All Previous Assessments.

All assessments heretofore made for all street improvements in the City of Warrenton are hereby declared to be valid, and existing liens against the property and persons against whom said assessments were charged.

Authority to Sell for Delinquent Assessments.

Section 60. Such warrant must require the person to whom it is directed to forthwith levy upon the lot or portion of lot upon which the assessment is unpaid, and sell the same in the manner provided by law for execution sales, and to return the proceeds of such sale to the treasurer and the warrant to the recorder with his doings endorsed thereon, together with the receipts of the treasurer for the proceeds of such sales as paid to him.

City Shall Bid For Property.

Section 61. Such warrant shall have the force and effect of an execution against real property, and shall be executed in like manner, except as in this act otherwise provided. At every sale of real estate under any such warrant for collection of delinquent assessment as provided in this act or for the collection of delinquent taxes as provided in this act, the marshal, or some other officer duly authorized by the common council, shall bid for and in the name of the city of Warrenton for such tract, lot or parcel of land offered the amount of the assessment against the same or the tax for which it is offered, including the amount of any costs and charges ac-

erued; and if no greater sum be bid, such tract, lot or parcel of land shall be struck off to the city of Warrenton, and shall be held by it and be subject to redemption in like manner as if it had been sold to a private person.

Deed to Property So Sold.

Section 62. The person executing such warrant shall immediately make a deed for the property sold therein to the purchaser, stating therein that the same is made subject to redemption, as provided in this chapter.

Time Limit for Redemption.

Within three years from the date of such sale, the owner or his successor in interest or any person having a lien by judgment, decree or mortgage on the property or any part thereof separately sold, may redeem the same upon the terms and conditions provided in the next section, otherwise the sale shall become absolute and include all the interest of the owner in said property.

Redemption—How Accomplished.

Section 63. Redemption is made by the payment of the purchase money, together with interest on the purchase money from the date of sale to the time of payment, at legal rate, and the amount of any tax which the purchaser may have paid upon the property. Said payment may be made to the purchaser or his successor, but if the redemptioner prefers he may deposit the amounts with the recorder, taking his receipts therefore, specifying for what purpose the same has been paid. If redemption is made by the owner or his successor in interest, then the recorder shall issue under the seal of his office a redemption certificate, stating particularly the sums

paid, the date of the sale and redemption, name of person to whom the property was assessed, name of purchaser, description of property, and a statement that the same is hereby redeemed from said tax sale. Such redemption certificate shall be entitled to record in the records of conveyances in the county recorder's office of Clatsop county, Oregon, and shall have the effect to cancel the tax deed and tax sale, but it shall not affect innocent purchasers without notice after expiration of time for redemption unless recorded within three days after said expiration of time to redeem.

Redemption Discharges Property.

Section 64. A redemption discharges the property from the effects of the sale for the assessment. If made by the owner or his successor in interest, the estate in the property is thereby restored to the owner or his successor in interest as the case may be; but if made by a lien creditor the amount paid for redemption is thereafter to be deemed a part of his judgment, decree or mortgage, as the case may be, and shall bear interest and may be enforced and collected as a part thereof.

Authority to Determine All Street Grades.

Section 65. The council shall have authority to determine and establish the grades of all streets, avenues, alleys, and public grounds within the city, and to require improvements and buildings adjacent to or abutting upon such streets, alleys or grounds to be made and constructed in conformity with such grade, and the council may change or alter the grade of any street, alley or public ground or any part thereof whenever in their opinion the public convenience will be promoted thereby. Whenever a grade shall be established or altered a record and diagram

thereof shall be made in the book of street records in the office of recorder; **provided**, that in case of a street or portion thereof which has been fully improved as required by ordinance, no grade shall be changed on such improved street or portion thereof except on the written petition of the owners of at least three-fourths of the property abutting upon the said street, or that part thereof upon which said change of grade is proposed to be made; when a grade shall have been established or changed, public notice thereof shall be given. The expense of the establishment of grades shall be paid out of the general funds.

Manner of Making Street Improvements.

Section 66. The council must provide by ordinance for the time and manner of doing the work of any proposed improvement, subject only to the following restriction, viz: After proper notice, the work must be let to the lowest responsible bidder for either the whole work necessary to complete the proposed improvement or such subdivision thereof as will not materially conflict with the completion of the remaining portion; but no bid for a fractional part of any class of work chargeable to any block fronting on a street to be improved shall be received; and a bid by the owner or owners of two-thirds of the property fronting on a street proposed to be improved must be accepted; **provided**, the same is as low as any other bid, and the work can be so subdivided without injury to the owners of other adjacent property. The council may provide for the rejection of any and all bids when deemed unreasonable, and that the bid of any person who has before bid or contracted for such work and been delinquent thereon shall not be received.

Bond For Contractor.

The council may provide for taking security by

bond for the faithful performance of any contract let under its authority, and the provisions thereof may be enforced by an action in the name of the city.

Disposition of Assessment Money.

Section 67. All money paid or collected upon assessments for the improvements of streets shall be kept as a separate fund, and in nowise used for any other purpose whatever. All money so assessed, including a deficit from the time of being entered in the docket of city liens, shall bear interest at the legal rate until paid or collected.

Sewers and Drains.

Section 68. The council shall have power and authority to locate, establish, lay down and construct and maintain all such sewers and drains as in their judgment may seem necessary either for general sewer or drainage purposes. Construction and maintenance of drains and sewers may be made at the expense of the general fund or by special assessment on the property benefited, as the council may by ordinance declare. When by special assessment, the council may by ordinance or resolution establish sewer or drainage districts, to be composed of such lands as in their judgment may be benefited thereby, and provide for the payment of all the costs and expenses of such sewer or drains by assessment upon the property in such districts in proportion to the benefits received, substantially in the manner provided in this charter for the establishment of street improvement districts, and the assessment of the costs of such improvement upon the property benefitted thereby; and the council shall not only have power and authority to establish such sewers and drains in the streets of the city, but shall have full power and authority when they deem it

necessary to establish and lay down such sewers and drains through lots and blocks or other private property in the city, and to that end are hereby authorized and empowered to condemn and appropriate so much of such private property or an easement or right of way over the same, for the purpose of laying and maintaining such sewer or drain as they may deem necessary for that purpose, and substantially in the manner now provided in the charter for the condemnation of land for general street purposes; **provided** that all costs of such condemnation and appropriation shall be considered part of the cost of such sewer or drain and shall be included in the assessment made on the property benefited by such sewer or drain.

Contracts, City Not Bound—Unless.

Section 69. The City of Warrenton is not bound by any contract, or in any way liable thereon, unless the same is authorized by city ordinance, and made in writing and by order of the council, signed by the recorder or some other person duly authorized on behalf of the city; but an ordinance may authorize any officer or agent of the city, naming him, to bind the city without a contract in writing, for the payment of any sum of money not exceeding \$100.

Drafts on Treasury by Ordinance.

Section 70. No money shall be drawn from the treasury, but in pursuance of an appropriation for that purpose, made by ordinance, and an ordinance making an appropriation of money must not contain a provision upon any other subject, and if it does such ordinance as to such provision shall be void, and not otherwise.

Council Not Liable.

Section 71. A member of the council, for words

uttered in debate therein, shall not be questioned in any other place. Neither the city of Warrenton nor any other member of the council thereof shall in any manner be held liable for any damage resulting from a defective condition of any street, alley or highway way thereof.

Naming Fiscal Year.

Section 72. The fiscal year of the city of Warrenton shall commence on the first day of January and end on the last day of December of each year, and during any such year the rates of general and special taxes levied must not exceed in the aggregate three pre centum.

Limit of City Indebtedness.

Section 73. The indebtedness of the city of Warrenton shall never exceed in the aggregate the sum of \$3,000, and any debt or liability incurred in violation of this section, except as may be otherwise herein provided, whether by borrowing money, loaning the credit of the city or otherwise, is invalid, null and void.

Decision on Assessments Final.

Section 74. In any suit, action or proceeding in any court concerning any assessment of property or levy of taxes authorized by this act, or the collection of such tax, or proceedings consequent thereon, such assessment, levy, consequent proceeding and all proceedings connected therewith shall be presumed to be regular and duly done or taken until the contrary is shown; and when any proceeding matter or thing is by this act committed or left to the discretion or judgment of the council, such discretion or judgment when exercised or declared is final, and cannot be reversed or called in question elsewhere.

Deed to Property Sold for Taxes, etc.

Section 75. In making a deed for real property sold for delinquent taxes or a delinquent assessment it is not necessary to recite or set forth the proceedings prior to the sale, but it is sufficient if it substantially appear from such deed that the property was sold by virtue of a warrant from the city of Warrenton, and the date thereof, for a delinquent assessment or tax, and the amount thereof, together with the date of sale, and the amount bid there at by the purchaser. No suit or legal proceeding shall be instituted to set aside such a deed or to have the same declared void without first tendering to the purchaser of the property at the tax or assessment sale, or his assigns, whether the purchaser be the city or otherwise, the amount bid at such sale for the property, with legal interest thereon from the date of such sale and all taxes and assessments paid by such purchaser on account of such property. The style of warrant for the collection of delinquent assessments or taxes shall be: "In the name of the City of Warrenton."

Property to be Assessed at Actual Cash Value.

Section 76. All property, real and personal, subject to taxation for municipal purposes shall be assessed at the actual cash value thereof, and real property not laid off into lots at the time of making any assessment shall be assessed at its actual cash value per acre or fraction thereof.

Creating and Describing Dyke Districts.

Section 77. For the purpose of constructing and maintaining dykes against the overflow of water, the city of Warrenton is hereby divided into two dyke districts, to be known and designated as follows: All that territory lying west of the thread

of Skipanon creek shall be called "Dyke District No. 1;" and all that territory lying east of the thread of the Skipanon creek shall be called "Dyke District No. 2." The taxable property in each district shall maintain the dykes within its own limits, but shall not be taxed for the maintenance of dykes in the other district. A separate fund shall be kept for each dyke district.

WATER COMMISSION

Section 78. The city of Warrenton (hereinafter referred to as the city) is authorized and empowered to contract or purchase, keep, conduct and maintain waterworks therein, of a character and capacity sufficient to furnish the city and the inhabitants thereof with an abundance of good, pure and wholesome water for all uses and purposes necessary for the convenience and well-being of the same, and also one or more electric light plants to be operated by water or other power, for the purpose of supplying the city and the inhabitants thereof with abundance of electric lights for all uses whatever and is hereby authorized and empowered to supply the city and the inhabitants thereof with electric lights; and to that end may acquire by purchase or otherwise and own and possess such real and personal property, within or without the limits of the city, as in the judgment of the persons herein authorized to construct, purchase, conduct and maintain the same may be deemed necessary and convenient; and for such purpose may also issue bonds, running for a period of not less than twenty nor more than fifty years, and dispose of the same as hereinbefore provided; **provided**, that nothing in this section shall be construed to limit, restrict or cut off any power or authority heretofore given the council of said

city and the rates for all shall be such as may be mutually agreed upon by the said council and the hereinafter mentioned commission. The city of Warrenton shall also have and there is hereby granted to it the power and authority to contract with individuals or corporations or other municipal corporations outside of the limits of said city of Warrenton, for the purpose of supplying said individuals, corporations or other municipal corporations or the inhabitants thereof, with water or electric light, or water or electric power, and all contracts herein mentioned shall be executed by the said water commission on behalf of the said town, but under such terms as said commission may impose.

Right of Way—How Acquired.

In case the common council of said city shall at any time desire to acquire for any purpose herein mentioned any real or personal property or franchise or any right of way upon or over any land or lands without or within the limits of the city, or to acquire the right to construct and maintain any reservoir, ditch, aqueduct, flume water pipes or water pipe line, over, across or upon any such land or lands, or shall desire to acquire any property, real or personal, water, water course or water riparian rights, within or without said city, and the water commission through its chairman and secretary shall certify to such common council that it has been unable to agree with the owner or owners thereof as to the amount to be paid for the appropriation thereof, the said common council shall by ordinance direct an action to be instituted in the name of the city of Warrenton in the circuit court of the state of Oregon for Clatsop county, to condemn and appropriate to the use of such city such property, franchise, right of way, water course or water rip-

arian rights. And it shall not be necessary in order to maintain any such action to submit any question to a vote of the taxpayers, inhabitants or voters of the city. Such action shall be commenced and prosecuted in the manner prescribed by the general laws of the state of Oregon providing and regulating the mode of proceeding to appropriate land by private corporations.

Names of Original Water Commission.

Section 79. The power and authority given to the city by section 78 hereof to construct or purchase waterworks and electric light plants, and issue and dispose of bonds therefor, shall be exercised as hereinafter provided, by the following named substantial taxpayers and **bona fide** residents thereof, namely D. K. Warren, P. C. Warren, C. F. Lester, F. W. Preston and H. C. Harrison, who shall be styled collectively "The Water Commission," and are hereinafter mentioned and referred to as the commission.

Instructions to Water Commission.

Section 80. Within ninety days from the time this act goes into effect, the five persons named in section 79 hereof shall meet at some convenient place in the city, on the written call of three or more of their number published in a paper of the city for not less than three days before the time named therein for said meeting, and organize by the election of a presiding officer from their number, who shall be styled "The Chairman of the Commission," and also a clerk who shall be styled "The Clerk of the Commission."

Vacancy in Commission—How Filled.

Section 81. Any vacancy that may occur in that body by death or resignation, removal from the city

or otherwise shall be filled by appointment by the mayor, subject to confirmation by the council as provided in section 15 of the charter of said city, said person to be in all respects qualified, as in this chapter provided; and three of the commission shall constitute a quorum for the purpose of an organization, as well as transaction of all other business.

Chairman to Preside.

Section 82. The chairman of the commission shall, if present, preside at all meetings thereof, and in case of his absence the commission may appoint from their number a chairman for the time being.

Chairman to Execute Contracts and Sign Warrants.

Section 83. The chairman of the commission shall execute all written contracts on behalf thereof, and sign all orders for the payment of orders authorized thereby.

Duties of Clerk.

Section 84. The clerk of the commission is its clerical officer, and he shall make and keep a fair minute of its acts and doings, countersign all orders authorized by it and signed by the chairman for the payment of money, and witness all written contracts signed by the chairman on its behalf, keep its accounts and have the custody of its books and papers.

Duties of Treasurer.

Section 85. The water commission shall elect a treasurer who shall be custodian of all the funds arising from the sale of bonds, and all moneys coming into the hands of the commission or any of the officers of said commission. He shall give bonds in such sum as the commission shall decide upon, and

shall pay out the same on the order of the chairman, countersigned by the clerk.

Duration of Office and Compensation of Officers.

Section 86. The chairman and clerk aforesaid shall also do and perform all such other duties and acts as may be required of them or either of them by the commission or its acts, and they and each of them shall hold their offices at the pleasure of the commission, and the clerk and treasurer shall receive such compensation as the commission may from time to time direct or prescribe.

Powers of Commission.

Section 87. The commission also from time to time may employ and discharge such other agents, workmen, laborer and servants, and at such compensation or wages, as it may deem necessary and convenient for the accomplishment of the purpose of this act.

Commission Meetings.

Section 88 was amended, Special Laws of Oregon, 1901, pages 263-7, to read as follows:

Section 88. The commission shall meet in the city for the transaction of business at least once every three months, at such a place as it may direct, and at such other times as it may provide, and all meetings of said commission shall be public.

Bonds.

Section 89. For the purpose of carrying this act into effect, the commission is authorized to issue and dispose of the bonds of the city of the denomination of from \$100 to \$1,000, as the purchaser may desire, with interest coupons attached thereto, the

par value of which shall not exceed the sum of \$250,000, signed by it chairman and countersigned by its clerk; wherein the city shall be held and considered in substance and effect to undertake and promise in consideration of the premises to pay the bearer of each of the said bonds at the expiration of the term of years for which the same are issued, which must not be less than twenty nor more than fifty years from the date thereof, in gold coin of the United States, together with interest thereon in like coin at the rate of not to exceed six per centum per annum, payable half-yearly, as provided in said coupon.

Section 90. The commission, or a majority thereof, has power and authority.

Power to Hire and Discharge.

Section 91. To employ, hire and discharge from time to time all such agents, workmen, laborers and servants as it may deem necessary or convenient, in the conduct and management of said water works and said electric light plants.

Power to Make Rules and Regulations.

Section 92. To make all needful rules and regulations for the conduct and management of the same by the city and the inhabitants thereof.

Power With Council to Establish Rates.

Section 93. To establish rates for the use and consumption of water or light by the city and the inhabitants thereof, including the people living along the line or in the vicinity of the works without the city, except that such rates for the city shall be established only by the mutual agreement and consent of the council.

Advance Payments for Light and Water.

Section 94. To provide for the payment of water

and light rates monthly in advance or otherwise, and to shut off the water and lights from any house, tenement or place for which the water or light rates are not duly paid, or when any rule or regulation is disregarded or disobeyed.

Annual Statement.

Section 95. The commission shall annually, before the first day of January, make a written statement of the probable expense of maintaining and conducting the waterworks and the electric light plants, in case any exist, during the ensuing year, and also the cost of any contemplated alteration, improvement or extension thereof; and thereupon ascertain and prescribe as nearly as it conveniently can such a water and light rate for such year as will insure sufficient income from the sale of water and light to pay such expenses and costs, together with one year's interest on the bonds aforesaid then issued and outstanding.

To Create a Sinking Fund After 5 Years.

Section 96. After the expiration of five years from the sale of the bonds hereunder by the commission, a sum equal to one per centum on the par value of the bonds aforesaid then issued and outstanding may be annually estimated for fixing the water rate and light rate, in addition to the expense, cost and interest aforesaid, and collected as a part thereof; which sum when so collected shall be kept and invested under the direction of the commission as a sinking fund for the payment of and redemption of such bonds.

To Make Quarterly Reports to Council.

Section 97. The commission shall cause a quarterly statement in detail of its receipts and dis-

bursements to be made and signed by its chairman and clerk, and filed with the city auditor and police judge, who shall preserve the same among the files of his office and shall cause the same to be published in at least one paper of the city; and the commission shall cause to be so made, filed and published, as a part of its last quarterly report in each year, an inventory or statement of the property, implements and material in its possession or control pertaining to the water and electric light plants, together with the condition and approximate value thereof.

Qualifications of Commissioner.

Section 98. No person shall be considered a taxpayer within the meaning of this act, so as to be eligible to become a member of the commission under this act, who has not paid a **bona fide** tax on real property within a year before his selection or appointment to such position, and whenever any member of said commission shall fail to pay such tax to the city for one year he shall cease to be a member thereof, and his place therein shall be deemed vacant, and may be filled accordingly.

City Not Liable for Contract—Unless.

Section 99. The city of Warrenton is not bound by any contract or in any way liable thereon, unless the same is authorized by the water commission by resolution of said body duly adopted by said commission at any meeting thereof, and made in writing and signed by the chairman and clerk of said commission.

Repeal and Emergency Clauses.

Section 100. All laws incorporating any of the territory herein described into any other corpora-

tion, and all laws in conflict with this act, are hereby repealed. Inasmuch as the interests of the inhabitants of the territory described herein require the immediate exercise of the provisions herein, this act shall take effect immediately upon its approval by the governor.

Addenda.

That part of the foregoing charter which was taken from the original act of incorporation will be found in the Laws of Oregon, 1899, on pages 619-654, inclusive, which act was approved February 11, 1899.

That part of the foregoing charter which was taken from the amendment of 1901, will be found in the Special Laws of Oregon, 1901, pages 263-276, inclusive, which act was approved February 15, 1901.

Ordinances of the City of Warrenton

ORDINANCE NO. 1.

An Ordinance Prescribing the Amount of Bond That Shall be Given by The Auditor and Police Judge, The Treasurer, and The Marshal of The City of Warrenton, Oregon, Before Said Officers Shall Enter Upon the Duties of Their Respective Offices.

The City of Warrenton does ordain as follows.

The Auditor and Police Judge's Bond.

Section 1. The Auditor and Police Judge of the City of Warrenton shall, before entering upon the duties of his office, give to said city a bond in the penal sum of Five Hundred Dollars, with two good and sufficient sureties, which sureties shall be qualified in double the amount of the said bond, and shall be residents and householders within said city and which bond shall be conditioned for the faithful performance of the duties of said office, that the incumbent will faithfully keep, account for and turn over to the proper officer all moneys and property of the city which shall come into his hands by virtue of said office.

The Treasurers' Bond.

Section 2. The Treasurer of the City of Warrenton, shall, before entering upon the duties of his said office, give a bond to said City, in the penal sum of One Thousand Dollars, with sureties having the same qualifications as is provided for the bond in section one of this ordinance specified, which bond

shall be conditioned that said treasurer will faithfully keep and account for all money and property of the City which may come into his hands by virtue of his office, and deliver to his successor in office all money and property of the City which shall be in his hands at such time as his successor shall be elected and qualified, that said treasurer will faithfully and honestly perform the duties of his office.

The Marshals' Bond.

Section 3. The Marshal of said City of Warrenton shall, before entering upon the duties of his office give a bond to said City in the penal sum of Two Hundred and Fifty Dollars, with sureties having the qualifications of those provided for in sections one and two of this ordinance and said bond shall be conditioned as the bond in section one of this ordinance.

Approval of Bonds.

Section 4. Each and every bond herein provided for shall be approved by the Mayor of the City and filed with the Auditor and Police Judge.

Passed the Common Council the 17th day of February, 1899.

Approved the 21st day of February, 1899.

ORDINANCE NO. 2.

An ordinance providing for a seal for the City of Warrenton, Oregon.

The City of Warrenton does ordain as follows:

Describing City Seal.

Section 1. That said City shall have a corporate seal, which shall be of the following kind and char-

acter, to-wit: A metallic circular disc, two inches in diameter, having engraved thereon around the circumference thereof, the words City of Warrenton, Oregon, and the words Corporate Seal in the center.

**All Corporate Instruments and Documents
to be Sealed.**

Section 2. The aforesaid seal is hereby adopted as the seal of said City, and shall be affixed to all corporate instruments and documents.

Approved the 21st day of February, 1899.

ORDINANCE NO. 3.

An ordinance providing for the Auditing and Payment of Accounts against the City of Warrenton, Oregon, creating the several funds of said City and providing for the presentation, endorsement and payment of city warrants of said City.

The City of Warrenton does ordain as follows:

**Accounts Against City to be Audited by
Council and Paid by Warrants.**

Section 1. That whenever any account is presented to the City of Warrenton the same shall be audited by the Common Council of said City at some meeting thereof or by any duly authorized Committee of said Council, and when so audited, the same shall be paid by a warrant duly signed and attested by the Mayor and Auditor and Police Judge drawn upon the Treasurer of said City, and specifying the amount of said audited claim, and any warrant so drawn shall be payable upon presentation to the said Treasurer.

Naming Different Funds.

Section 2. Any warrant for any account or de-

mand against said City shall be drawn upon the appropriate fund, and there are hereby created the following funds of said City, to-wit:

A General Fund, a Road and Crossing Fund, a Bond and Warrant Interest Fund and Dike Funds, and Special Street Funds corresponding in name to the names of streets improved.

Disposition of Moneys Received.

All moneys received by said City from all sources except that received from special assessments for public improvements shall be placed to the credit of the **General Fund**, and may thereafter, in the discretion of the Council be transferred to any of the above mentioned funds or to such other funds as may hereafter be created, provided, however, that no money shall be transferred from the **General Fund** to any Special improvement fund, except for the payment of interest or for the preservation of the credit of the City.

Warrants Drawn on General Fund—How Paid.

Section 3. All warrants drawn in payment of salaries of City Officers and the Fire Department, if any, and the Police Department, if any, and all claims and demands against the said City for supplies, labor or material furnished the City, and not otherwise by Ordinance provided for, shall be drawn upon the **General Fund**, and shall be paid in the order of their presentation and endorsement by the City Treasurer, which presentation and endorsement are hereinafter provided for, out of the moneys in said **General Fund**.

Warrants for Street Work.

Section 4. All warrants for claims and accounts against the City for work done upon or materials furnished for any of the streets of the City, except

that done upon street crossings or materials furnished for said street crossings shall be drawn upon the **Special Street Fund** applicable to the payment thereof, and all of such warrants shall specify the street upon which such work was done or materials furnished, and they shall be paid out of the moneys in such funds, in the order of their presentation and endorsement by the City Treasurer, as hereinafter provided for.

Road and Crossing Warrants.

Section 5. All warrants drawn in payment of all accounts and demands against the said City for work done upon or materials furnished for all street crossings of said City shall be drawn upon the Road and Crossing fund of said City, and shall be paid out of the moneys in such fund, in the order of presentation and endorsement herein provided for.

Dyke Warrants.

Section 6. All warrants drawn in payment of all accounts and demands against said City for any work done upon or materials furnished for the construction or repair of any dike within the limits of said City shall be drawn upon the **Dike Fund**, of the Dike District in which said dike is located, and shall be paid as provided in this Ordinance for the payment of other warrants, out of the money in said fund.

Bond and Interest Warrants.

Section 7. All warrants drawn in payment of interest upon City Bonds or Warrants shall be drawn upon the **Bond and Warrant Interest Fund**, and shall be paid in the order of their presentation and endorsement.

Warrants Endorsed by Treasurer—When.

Section 8. Whenever any City Warrant is presented to the Treasurer of the City of Warrenton for payment and there are no moneys in the Treasury applicable to the payment of said warrant, the same shall be endorsed **Not Paid For Want of Funds**, with the date of its presentation to said officer, and thereafter the same warrant shall draw interest at the legal rate existing at the time of said endorsement and shall continue to bear said interest until the payment or call thereof as herein provided for, and the full faith and credit of the said City is hereby pledged to the payment of all of said warrants.

Warrants Called for Payment.

Section 9. Whenever there are any outstanding warrants against the said City of Warrenton and there are any moneys in the hands of the Treasurer applicable to the payment of said Warrants, (reference being hereby made to Warrants which have been presented and endorsed, as in Section 8 provided for), the said Treasurer shall call said warrants for payment, by publishing a notice in a newspaper published in said City for three successive issues thereof, which notice shall specify the number of Warrants called, the numbers thereof and the date of payment, and interest shall cease on said warrants, after the first publication of said call, and all warrants so called shall be paid in the order of their endorsement as hereinabove provided for, except that should any warrant which has been endorsed and called and not be presented on the aforesaid date of payment, the same shall be included within the next call of warrants made by the said Treasurer.

Section 10. This Ordinance shall take effect upon its passage by the Common Council and approval by the Mayor of the City.

Approved the 27th day of February, 1899.

ORDINANCE NO. 4.

An ordinance creating several Committees of the Common Council, authorizing the Mayor to appoint same, and providing for their duty.

The City of Warrenton does ordain as follows:

Names of Committees.

Section 1. That in order to facilitate the transaction of the business of said City, there be and there are hereby created the following standing Committees of the Common Council of said City, to-wit: on Streets and Public Improvements, Ways and Means, Health and Police, Fire and Water, and Public Property, which Committees shall be composed of three members of the Common Council each, and shall be appointed immediately upon the passage and approval of the Ordinance and thereafter shall be appointed at the first meeting in January, 1900, of said council, and at the first meeting of the said Council of January of each year thereafter, and each of said Committees shall continue to exercise such powers and duties as may be conferred upon them, until their successors are appointed.

Powers and Duties of Committees.

Section 2. Each of said Committees shall have such powers and duties not inconsistent with the provisions of the City Charter of said City as may be prescribed by Ordinance of said City, provided however that any special duty may be imposed upon said Committee, either by Resolution duly adopted at a meeting of said Council or by a motion duly made, seconded and carried, at any such meeting, but each Committee shall at all times be subject to the will of the Council, and the Mayor shall and he is hereby granted the right to remove any member of any

Committee for inattention or incompetency or neglect of duty, but all such removals shall be reported to the Council and by them approved before taking effect.

Approved the 27th day of February, 1899.

ORDINANCE NO 5.

An ordinance providing for the compensation of the Auditor and Police Judge, Treasurer and Attorney of the City of Warrenton, Oregon.

The City of Warrenton does ordain as follows:

Salary of Auditor and Police Judge.

Section 1. The Auditor and Police Judge of the City of Warrenton, shall in addition to the compensation provided for said officer in the Charter of said City, receive for his services a salary of One Hundred and Twenty Dollars per year, from the date of his appointment to office, payable in four installments, said installments to be paid quarterly.

Treasurer's Salary.

Section 2. The Treasurer of the City of Warrenton shall receive for his services rendered by said officer to the City of Warrenton, the actual expenses which he may incur in the transaction of his business for the City, which expense shall be audited and paid as other demands against said City.

Salary of Attorney.

Section 3. The Attorney of the City of Warrenton shall receive for the services rendered by said officer to said City, a salary of One Hundred and Eighty Dollars per year, from the date of his appointment to office, payable in four installments, one installment to be paid each quarter.

Extra Service of Officers to Be Paid.

Section 4. For any extraordinary services rendered by any of the aforesaid officers, to said City, such service shall be paid for by the Council in such manner and amount as they may prescribe.

Approved the 27th day of February, 1899.

ORDINANCE NO. 6.

An ordinance providing for the licensing and regulating of the sale and giving away of spirituous, malt and vinous liquors and other intoxicating liquors and compounds, within the corporate limits of the City of Warrenton, Oregon, and also licensing and regulating saloons, bar-rooms, and drinking shops, within said City.

The City of Warrenton does ordain as follows:

License to Sell Liquors.

Section 1. That, whereas it is the determination and intention of the Common Council of the City of Warrenton, Oregon, to allow the sale and giving away of spirituous, malt and vinous liquors and other intoxicating compounds within the limits of the said City, under such restrictions, in addition to such as are imposed by the Charter of said City in express terms, as are hereinafter provided, no person or persons, firm or corporation shall within the limits of said City, either directly or indirectly, in person or by any agent, servant or employee barter, sell or give away or knowingly permit to be sold, bartered or given away for or on his, their, her or its account any spirituous, malt or vinous liquors or other intoxicating compounds, without first having obtained a license from said City so to do, which license shall be obtained in the manner hereinafter provided.

Application for Liquor License by Petition.

Section 2. Each and every person, firm, company or corporation which desires to obtain from the said City of Warrenton the license mentioned in Section 1 of this ordinance and has given the notice provided for in the Charter of said City shall apply to the Common Council by petition signed by the person, firm, company or corporation desiring said license, which petition shall be accompanied by satisfactory proof, made by affidavit, of the person who posted the notices provided for in said Charter, to which said affidavit there must be attached a copy of the said posted notice, and which petition shall be in accordance with said Charter and shall be presented to said Council at some meeting thereof, and if no protest against granting the petition of said applicant, which protest shall be as provided in said Charter be filed as in said Charter provided, or if any protest shall have been so filed and the petitioner has filed the additional petition in such case made and provided for by the said Charter, the said petitioner shall, at the time of said meeting at which said petition is acted upon or prior to the time of the issuance of any license under this Ordinance, pay to the Auditor and Police Judge of said City, for the use of said City, the sum of Four Hundred Dollars, and thereupon the Common Council may, in its discretion grant or refuse said petition.

Council May Grant License.

Section 3. Should the said Common Council decide to grant the license herein provided for, the same shall be issued in the name of the City of Warrenton to the said petitioner, signed by the Mayor of said City and attested by the Auditor and Police Judge thereof, shall state the purpose thereof and the place and exact location within the limits of said

City, at which the privileges of said license are to be exercised, provided, however, that prior to the issuance of said license, the person, firm, company or corporation applying for same shall execute to the said City, a bond in the penal sum of Five Hundred Dollars, with two or more sufficient sureties, who, taken together, shall qualify in that amount, and who shall possess the qualifications of sureties in bail upon arrest, which bond shall be approved by the Mayor of the City, conditioned that the said petitioner will keep an orderly house or place in which said spirituous, malt or vinous liquors or other intoxicating compounds are to be sold, given away or bartered under said license, and said license, when so issued, shall entitle the person, firm, company or corporation to whom same is issued to the privileges of selling, bartering or giving away any and all malt, spirituous and vinous liquors and other intoxicating compounds, in such quantities as the grantee in said license may desire for the period of one year.

Liquor License not Transferable.

No such license shall be issued under the provisions of this Ordinance, for a less period than one year, and no such license shall be in any manner transferable, and the power is hereby reserved to the said City of Warrenton and its Common Council to revoke said license at any time.

Council May Refuse to Grant License.

Section 4. Should the Common Council refuse to grant the license herein provided for, the said sum of Four Hundred Dollars mentioned in the preceding Section 2 of this Ordinance, if the same has been paid to the said Auditor and Police Judge at the time of said refusal, shall be returned to the person who paid the same, but after any license has

been issued under the provisions of this Ordinance and the same has been revoked by the Common Council, the money paid for said license shall not be returned but shall forfeit to the said City of Warrenton as a penalty incident to said revocation.

Violation of Section 1 and Penalty.

Section 5. Each and every person who shall violate any of the provisions of Section 1 of this Ordinance or who in applying for any license under the provisions of this act shall violate any of the provisions of Sections 2 and 3 of this act or any agent, servant or employee of any person, firm company or corporation who shall violate any of the provisions of the aforesaid Sections of this Ordinance shall, upon conviction thereof by the Auditor and Police Judge of said City, be fined in a sum not less than Twenty-five nor more than Two Hundred Dollars or by imprisonment in the City Jail of said City or other place provided for the confinement of City prisoners not to exceed 60 days.

Definition of Saloon.

Section 6. Each and every place, house or part of a house or store or shop where malt, spirituous or vinous liquors or other intoxicating compounds are kept for sale or to be given away or are sold or bartered or given away shall be deemed and the same is hereby defined to be a saloon or bar-room or drinking shop and said terms are hereby made interchangeable within the meaning of this Ordinance as applicable to any such place, house or part of a house within the limits of the City of Warrenton.

Running Saloon Without License, and Penalty.

Section 7. No keeper, owner, proprietor nor servant, agent or employee of any keeper, owner or

proprietor of any saloon within the limits of the City of Warrenton shall keep the same open or keep therein any malt, spirituous or vinous liquors or any other intoxicating compound nor permit any person or persons to enter the said saloon or any such saloon or be or remain within or about the same without first having obtained the license provided for in this Ordinance and every person who shall violate any provision of this Section shall upon conviction thereof by the Auditor and Police Judge of said City be fined in a sum not less than Twenty-five Dollars nor more than Two Hundred Dollars or be imprisoned in the City Jail or other place mentioned in Section 5 of this Ordinance, for a period not to exceed sixty days.

Closing on Sunday, and Penalty.

Section 8. No keeper, owner proprietor nor any servant, agent nor employee of any keeper, owner or proprietor of any saloon within the limits of the City of Warrenton shall keep the same open or permit any person or person to enter the same or be or remain within or about the same during the hours that the Polls are open, on the days of any general, or special election held in said City, and shall keep the front doors of such saloon closed and securely locked between the hours of 6 o'clock A. M. and 10 o'clock P. M., on the first day of the week commonly called Sunday, nor shall any spirituous, malt or vinous liquors or other intoxicating compounds be sold, bartered or given away within the limits of said City at or on any of the aforesaid prohibited days or hours, and each and every person violating any of the aforesaid provisions of this Section of this Ordinance shall upon conviction thereof by the Auditor and Police Judge of the said City be fined in a sum not less than Twenty-five Dollars, nor more than Two Hundred Dollars, or be imprisoned

in the City Jail, or other place mentioned in Section 5 of this Ordinance, for a period not to exceed sixty days.

Must Keep Orderly House.

Section 9. No keeper, owner, proprietor nor any servant, agent nor employee of any keeper, owner or proprietor of any saloon within the limits of the City of Warrenton shall permit any breach of the peace or disturbance of the public quiet, or order, or noisy, or disorderly conduct in, or about any such saloon, nor sell, nor give away any malt, spirituous or vinous liquor, or any other intoxicating compound to any minor, or female, or habitual drunkard, or person already intoxicated, nor allow or permit any such person to be or remain in or about such saloon and every person violating any provision of this Section of this Ordinance shall upon conviction thereof by the Auditor and Police Judge of said City be fined in a sum not less than Twenty-five Dollars nor more than One Hundred Dollars or be imprisoned in the City Jail or other place mentioned in Section 5 of this Ordinance, for a period not to exceed thirty days.

License to Be Posted in Conspicuous Place.

Section 10. Each and every person, firm, company or corporation to whom a license is issued under the provisions of this Ordinance shall post the same in a prominent place, and shall at all times exhibit the same, while the same is in force, in the place of business for which said license is granted, and any person violating the provisions of this Section shall upon conviction thereof by the Auditor and Police Judge of said City be fined in a sum not less than Twenty-five Dollars nor more than One Hundred Dollars or be imprisoned in the place

mentioned in Section 5 of this Ordinance, for a period not to exceed thirty days.

Marshal to Arrest Violators.

Section 11. It is hereby made the duty of the Marshal of the said City to see that the provisions of this Ordinance are enforced and to arrest either with or without a warrant any person violating the same and to make complaint before the Auditor and Police Judge against all persons violating the same.

Approved the 27th day of February, 1899.

ORDINANCE NO. 8.

An Ordinance providing rules and regulations and order of business for the Government of the Common Council of the City of Warrenton, in the transaction of City business.

The City of Warrenton does ordain as follows:

Order of Business.

Section 1. That the following rules, regulations and order of business are hereby established for the government of the Common Council of said City in the transaction of City business, and at all meetings and in all proceedings of said Council, to-wit:

**Mayor Presides, if Absent Then President
of Council.**

Rule 1. The Mayor or President of the Council, or in case of their absence, the President pro tem of said Council shall call the members to order at the hour designated for the meeting, **provided**, however, that should there not be a quorum present, it shall be the duty of the Marshal to immediately inform the absent members when possible, that their presence is required to enable the Council to

proceed to business. Should they fail to appear, after such notice and no quorum being present, the members present shall adjourn to the next regular meeting of the Council or to some certain time.

Details of Order of Business.

Rule 2. A quorum being present, the business of said Council shall be announced by the presiding officer and shall be transacted in the following order : I. Roll Call; II. Reading of the Record of the previous meeting by the Auditor, which, if not objected to shall be considered approved; III. Petitions; IV. Memorials; V. Remonstrances; VI. Communications; VII. Reports from standing committees, in the following order: Ways and Means; Health and Police; Streets and Public Improvements; Fire and Water; Public Property; VIII. Reports from select or special committees; IX. Reports of Officers; X. Reports and business on the table; XI. Reading of Ordinances first and second times; XII. The reading of engrossed Ordinances the third time and consideration of the question of their passage; XIII. Resolutions; XIV. Claims and Requisitions; XV. Miscellaneous Matter; XVI. For the good of the City; XVII. Adjournment: and no business shall be taken up or considered until the class to which it belongs shall be in order, except under suspension of the rules, as provided in Rule 19.

Describing Business of Committees.

Rule 3. Whenever the Common Council desires to refer any business presented to it to any standing committee of said Council, the same shall be referred as follows: first, to the Committee on Ways and Means all business relating to the annual estimate and levy of taxes, Reports of the Treasurer and Auditor and Police Judge, Bonds for Street Im-

provements, Advertising, Printing and Stationery for City Offices, Elections, Litigation, Relief from Taxes and Assessment, Claims for damages and other disputed claims against the City, and all other business relating to the general finances of the City. To the Committee on Health and Police all business relating to the public health and welfare, and all matters pertaining to the peace and good order of the City, including all police powers thereof, and all matters pertaining to City Licenses and the duties of the City Marshal and Police, if any.

To the Committee on Streets and Public Improvements, all business relating to, the establishment of grades within the City, the opening, improvement construction, or repair of streets and bridges and dikes, the granting of franchises of all kinds for the use of the streets and the vacation of street and alleys.

To the Committee on Fire and Watter, all business relating to the security of the City and the inhabitants thereof from damage by fires, relating to the fire department and fire alarm system, if any, and the purchase and acquisition of all fire apparatus and the general business relating to an adequate water supply for the extinguishment of fires.

To the Committee on Public Property, business relating to the care of the personal property of the City, including the City Hall and City Jail, all public grounds and the purchase and acquisition of real property by the City and the construction of buildings thereon.

Presiding Officer to Preserve Order.

Rule 4. The presiding officer shall preserve order and decorum, and decide points of order and all questions of order, subject to appeal to the Council by any one member, on which appeal no member

shall speak more than once without leave of the Council, and all members of the Council shall preserve proper order and decorum while in attendance upon any meeting thereof.

Method of Putting Questions.

Rule 5. Questions shall be distinctly put by the presiding officer, in the following form, to-wit: As many as are of the opinion, or favor the motion, (stating the question to be decided), say Aye; contrary opinion, Nay. If the presiding officer is in doubt, or a division be called for, the Ayes and Nays of the Council shall be taken.

Decisions of Priority Questions.

Rule 6. All questions relating to the priority of business shall be decided without debate.

Presiding Officer Names Speaker.

Rule 7. When two or more members happen to rise at once, the presiding officer shall name who is to speak first.

Not to Speak More Than Twice.

Rule 8. No member shall speak more than twice on the same subject or question without leave of the Council, nor more than once until every member choosing to speak shall have spoken.

Roberts Rules of Order to Govern.

Rule 9. When a question is under debate, no motion shall be received but to adjourn, to lay on the table, for the previous question, to postpone to a certain day, to refer, or to amend, to postpone indefinitely, which several motions shall have precedence in the order in which they are stated. Roberts' Manual, that is, Roberts' Rules of Order, shall be considered authority in deciding any question arising on points of order not embraced in these rules.

Rule 10. A motion to adjourn, when once put and voted down, shall not again be in order until some other business shall have been taken up and shall always be decided without debate.

Rule 11. When any member is about to speak in debate or deliver any matter to the Council, he shall rise from his seat and respectfully address the presiding officer and shall confine himself to the question in debate and avoid personalities.

Every Member Shall Vote.

Rule 12. Every member who shall be present when a question is put shall vote for or against the same, unless excused by the Council, but no member shall be permitted to vote on a question when the ayes and nays are called for, unless present when his name is called in its regular order.

President of Council May Vote.

Rule 13. A member of the Council acting as president pro tem may vote on all questions in all cases in which he might vote if not so acting.

Mayor to Leave Chair—When.

Rule 14. Whenever it shall be decided that the Council go into the committee of the whole, the presiding officer shall leave the chair and appoint a chairman of the whole, who shall report the proceedings of the committee.

Motion Must Be Seconded.

Rule 15. No motion shall be considered unless the same be seconded. When a motion is seconded, it shall be stated by the presiding officer before debate, but the mover may withdraw it at any time before a decision or amendment is made to it.

Reconsideration of Decided Questions.

Rule 16. When a question has been once decided, it shall be in order for any member who voted in the majority to move for a reconsideration thereof, but no motion for reconsideration of a vote, shall be made or considered after the ordinance, resolution or act shall have gone out of the possession of the Council, and no motion for a reconsideration shall be made more than once, and provided the motion to reconsider is made at the same day of the passage of the matter in question.

Division of Council on a Question.

Rule 17. Upon division of the Council, the names of those who voted for and those who voted against a question shall be entered upon the minutes when any two members require it; and in such cases it shall be the duty of the Auditor and Police Judge to enter on the minutes the names of the members so calling for a division, and in all authorizations to expend appropriations of public money, the ayes and nays shall be called by the Auditor and recorded, and no authorization shall be deemed to have been carried unless a majority of members of the Council present at the meeting at which said question is under consideration shall have voted on the proposition, and in the case of the passage of an ordinance, a majority vote of the members of the present Council shall be required.

Committees to Report in Writing.

Rule 18. All committees shall report the facts in writing in relation to the matter or subject referred, with their opinion thereon and no report shall be received as the report of a committee except the same be signed by a majority of the committee.

**Rules Not to be Changed Without Majority
Vote.**

Rule 19. No standing rule or order of the Council shall be rescinded or suspended, except by a vote of the majority of the members present; nor shall the order of business established by the rules of the Council be postponed or changed, except by a majority vote of the members present, and the ayes and nays shall be recorded on any proposition to suspend a rule.

Ordinance to be Read Three Times.

Rule 20. Every ordinance shall receive three readings previous to its being passed, but shall not be read more than twice at any one meeting except under suspension of the rules, as provided by rule 19.

**Final Passage of Ordinance by Ayes and
Nays.**

Rule 21. Upon the final passage of an ordinance, the question shall be taken by ayes and nays.

**Previous Question Precludes All Amend-
ments.**

Rule 22. The previous question, until it is decided, shall preclude all amendments and debate on the main question, and shall be put in the following form: "Shall the main question be now put."

Member Called to Order.

Rule 23. A member called to order shall immediately sit down, unless permitted to explain, and the Council if appealed to shall decide on the case, but without debate. If there be no appeal, the decision of the presiding officer shall be submitted to.

Approved the 7th day of March, 1899.

This Ordinance is amended by Ordinance No. 61.

ORDINANCE NO. 10.

An Ordinance prescribing certain duties to be performed by the Auditor and Police Judge of the City of Warrenton, Oregon, and prescribing the duties of the City Attorney of said City.

Whereas, under and by virtue of the Charter of said City of Warrenton, the Auditor and Police Judge is the clerical officer of the said City and he is also called in said Charter by the title "Recorder," the said terms "Auditor and Police Judge" and "Recorder," being used in said Charter interchangeably, now therefore.

The City of Warrenton does ordain as follows:

Auditor Acting Under Other Titles.

Section 1. That each and every duty and act required by the Charter of said City to be performed by the "Recorder" shall be so performed by the Auditor and Police Judge, and in the manner in said Charter provided, and the said Auditor and Police Judge shall in all matters pertaining to City business wherein the "Recorder" is required by the said Charter to perform any service, act as "Recorder."

Duties of Auditor.

Section 2. The said Auditor and Police Judge shall attend all meetings of the Council and shall act as clerk of said meetings and of said Council during the same. He shall keep a record of the proceedings of said Council and shall record same in a Journal of said proceedings, and perform such other duties and services for said Council as the said Council may from time to time designate.

Duties of City Attorney.

Section 3. The City Attorney of said City shall attend all actions, suits or proceedings in which the

City is legally interested, and shall attend to the prosecution of all persons charged with the violation of any and all City Ordinances and give his advice and opinion in writing concerning any matter in which the Council or City is interested, when required by the Mayor and Council.

Approved the 7th day of March, 1899.

ORDINANCE NO. 11.

An Ordinance defining and punishing disorderly conduct, the use of profane, abusive and obscene language, indecent and immoral acts, fighting and quarreling, disturbance of the peace, drunkenness and exhibition of crippled or deformed persons, within the City of Warrenton, Oregon.

The City of Warrenton does ordain as follows:

Disorderly Conduct.

Section 1. That any person or persons who shall be guilty of any violent, riotous or disorderly conduct, or who shall use any profane abusive or obscene language in any street, house or place within the City of Warrenton, Oregon, whereby the peace or quiet of the City is or may be disturbed, or who shall be guilty of an indecent or immoral act or practice in said City, shall upon conviction thereof in the Police Court, be fined not less than \$5.00 nor more than \$300.00, or by imprisonment in the City Jail not exceeding 100 days, or both, in the discretion of the Court.

Quarreling, Fighting.

Section 2. That any person or persons who shall disturb the peace and quiet of the City of Warrenton by fighting, quarreling or being engaged in any riot or riotous assemblage, shall, upon conviction

thereof, in the Police Court be fined not to exceed \$300.00 or by imprisonment in the City Jail not to exceed 100 days.

Drunkenness.

Section 3. Any person or persons who shall be found drunk in any public place, within the corporate limits of the City of Warrenton, or who shall disturb the peace and quiet of any of its inhabitants, by yelling, whooping or singing in a rude or boisterious manner, shall be deemed guilty of a misdemeanor and upon conviction thereof, in the Police Court, shall be fined not less than \$2.00 nor more than \$300.00, or by imprisonment in the City Jail not to exceed 100 days.

Riotous Assemblage.

Section 4. That any person or persons who shall disturb the peace and quiet of the City of Warrenton by fighting, quarreling or being engaged in any riotous assemblage, shall, upon conviction thereof, in the Police Court be fined not to exceed \$300.00 or by imprisonment in the City Jail not to exceed 100 days.

Maimed, Crippled, or Deformed Persons.

Section 5. If any person or persons shall exhibit or cause to be exhibited upon the streets, or in any public place within the City, any crippled, maimed or deformed person, shall be guilty of a misdemeanor and upon conviction thereof before the Police Court, shall be punished by a fine of not less than \$5.00 nor more than \$300.00, or by imprisonment in the City Jail not to exceed 100 days.

Begging.

Section 6. If any crippled, maimed or deformed person shall beg upon the streets, or in any public

place, they shall be deemed guilty of a misdemeanor and upon conviction thereof, before the Police Court shall be punished by a fine of not less than \$5.00 per more than \$300.00, or by imprisonment in the City Jail not to exceed 100 days.

Approved this 20th day of April, 1899.

ORDINANCE NO. 12.

An Ordinance appointing Alfred S. Tee, City Surveyor of the City of Warrenton, Oregon, until the further pleasure of the Common Council of said City, and fixing his compensation, and the manner of payment for certain services, and providing for his duties.

Whereas, there is granted to the Common Council of the City of Warrenton, Oregon, by the Charter of said city, power and authority to appoint a city surveyor, to prescribe his duties and compensation, and it being necessary to the welfare of said City that certain streets shall be surveyed and improved, now therefore.

The City of Warrenton does ordain as follows:

Section 1. That Alfred S. Tee, be and he is hereby appointed City Surveyor of the City of Warrenton, Oregon, until the further pleasure of the Common Council of said City.

City Surveyor's Work Outlined.

Section 2. That the City Surveyor shall do all engineering work and public surveying to be done within the limits of said City, including the surveying of all streets, alleys, roads, highways, parks, public grounds, sewers, bridges, dikes, lines of lots, streets, sidewalks, alleys and other lines which may be surveyed by the authority of the Common Council, provided that all the services and work done by

said surveyor shall be authorized by the said council or its duly authorized committees, and the said City Surveyor shall also make and prepare all maps, plats, diagrams, plans, specifications, estimates and tables of surveys for all public works and improvements within the limits of said City, shall establish and erect all monuments, all grades of streets, and other public ways and all other grades, and prepare tables of grades, all of which shall be done under the direction of the said Council.

Surveyor Shall Make and Record Grades.

Section 3. The City Surveyor, shall also from time to time, as additions or changes are made by order of the Council, and as grades may be established make and compile a table, or tables of the same which shall be recorded in the City Record Field Book hereinafter provided for.

All Field Notes to be Recorded in Book.

Section 4. All field notes, maps, plans, plats, and tables of surveys made by the said City Surveyor shall be copied and recorded by him into a Record Field Book which he shall keep for that purpose, and shall be properly indexed and which shall designate the street, or locality, or works for convenience of reference.

Records, the Property of the City.

All records, and other maps, plats, diagrams, plans, specifications made by said surveyor in his official capacity for said City shall be the property of the City and shall be handed by the said Surveyor to his Successor.

Section 5. The City Surveyor shall do and perform such other work in the line of his duties as the Common Council may designate, and he shall receive for his services the sum of Five Dollars per

day, for each day of eight hours duration that he is actually employed, and he shall maintain an office in the City of Warrenton in which all records and works shall be kept, which office shall be such as the Common Council may provide.

Approved the 6th day of April, 1899.

ORDINANCE NO. 13.

An Ordinance to provide for the prevention and removal of nuisances, and to punish those who allow or maintain them, within the City of Warrenton, Oregon.

The City of Warrenton does ordain as follows:

Listing and Describing Nuisances.

Section 1. No person or persons shall cast or keep in or adjoining any street, lane, alley, square, public place, or in any yard, lot, block or premises within the City limits of the City of Warrenton, any putrid, unsound, unwholesome or refuse meat or garbage or vegetables, or flesh of any animal or fish, whether salted or otherwise, or any hides or skin of any kind, or the whole or part of any dead animal or putrid or unwholesome substance or offal, and any person doing any act prohibited by this section shall be deemed guilty of maintaining a nuisance, and upon conviction thereof before the Auditor and Police Judge, shall be fined in the sum not less than Five Dollars, nor more than One Hundred Dollars, or by imprisonment in the City Jail, not to exceed fifty days.

Further Describing Nuisances.

Section 2. No person or persons shall permit or suffer to accumulate in or upon any yard, lot, place or premises, or upon any street or sidewalk adjacent to or abutting upon any lot, place or prem-

ises owned or occupied by him or them, or for which he or they may be agent or agents, within the limits of said City, any stagnant or impure water, refuse or decayed or decaying vegetables, substances, garbage, or filth of any kind, nor suffer such yard, lot, place or premises or any building, water closet, privy, cesspool or other outhouse to become or remain in such condition as to cause or create a noisome or offensive smell or atmosphere and every person or persons violating any provision of this section shall be deemed guilty of maintaining a public nuisance, and upon conviction thereof, shall be punished as in Section 1 of this Ordinance provided.

Property to Be Kept in Clean Condition.

Section 3. Every place, house, building or part thereof, or any yard, lot or premises which shall be maintained or kept or shall be in the condition prohibited by Sections 1 and 2 of this Ordinance, is hereby defined to be a nuisance under this Ordinance.

Marshal to Enforce Cleanliness.

Section 4. It is hereby made the duty of the Marshal of the City of Warrenton to see that the provisions of this Ordinance are enforced, and whenever he shall be informed of the existence of any nuisance prohibited by this Ordinance.

Marshal to Examine Nuisance.

He shall immediately make an examination of the said nuisance and if in his opinion one is found to exist, he shall immediately give or cause to be given to the person or persons maintaining said nuisance verbal or written notice to abate same, and if such nuisance shall not be removed or abated within 48 hours after such notice, the Marshal shall cause the

owner or occupant of, or the person or persons who maintain the said nuisance to be arrested and taken before the Auditor and Police Judge for trial.

Marshal to Abate Nuisance.

And the said Marshal is hereby authorized to abate nuisance found to be existing as in this Ordinance provided, and to remove any obstruction that may be necessary to remove in order to abate such nuisance, and the expense of the removal of any nuisance by the said Marshal shall be paid by the City in the first instance, but shall be taxed as part of the costs in such case and be recovered by the City from the person notified as herein above provided.

Approved the 15th day of May, 1900.

ORDINANCE NO 14.

An Ordinance providing for monthly reports of the treasurer, Auditor and Police Judge and Marshal of the City of Warrenton, Oregon, and for the Auditing of the same by the Committee of Ways and Means of the City Council of said City.

The City of Warrenton does ordain as follows:

Officers to Make Reports.

Section 1. That the Treasurer, Auditor and Police Judge and Marshal of the City of Warrenton, Oregon, shall on or before the date of the first meeting of the City Council of said City, in each month, each file with the said Auditor a report, signed by said officer, which report shall be prepared by each separate official in his official capacity, and said report shall be by the said Auditor presented to the Council at the meeting immediately following the filing of the same.

Reports to Cover All Details of Work.

Section 2. The several reports required to be made and filed by the preceding section shall contain a detailed statement of the amount of business transacted by the said officer making the same and an account of all cash received and disbursed by him for and on account of said city, and an account of all cash on hand at the date of said report, and said reports when so filed and presented to the Council shall be by said body referred to the Committee on Ways and Means of the said body which committee shall take the necessary steps to ascertain the correctness of said reports and report at the next regular meeting of the Council as to the same.

Penalty for Failure to Report.

Section 3. Any officer neglecting to file the report required of him by this ordinance may be removed by the proper proceeding.

Approved July 18, 1899.

ORDINANCE NO. 21.

An Ordinance to restrain the use of Fire Arms and the Firing of Guns within the corporate limits of the Town of Warrenton.

The Town of Warrenton does ordain as follows:

Must Not Discharge Firearms.

Section 1. It shall be unlawful for any person within the corporate limits of the Town of Warrenton to discharge or fire any rifle or pistol or revolver of larger bore than 22 caliber, except in case the same be actually used at the time for the purpose of killing or slaughtering animals in a slaughter house or pen.

May Use 22 Caliber Rifle or Shot Gun on Own Property.

Section 2. It shall be unlawful for any person within the corporate limits of the Town of Warrenton to fire off or discharge any rifle or pistol not larger than 22 caliber or any shot gun unless the same be fired upon the premises owned or leased by the person at the time so firing or discharging the same.

Penalty For Violation.

Section 3. Any person violating any of the provisions of this ordinance upon conviction thereof before the Auditor, shall be punished by a fine of not less than Five nor more than Fifty Dollars or by imprisonment in the Town Jail not less than two nor more than twenty days or by both such fine and imprisonment.

Approved this 12th day of January, 1903.

ORDINANCE NO. 28.

An Ordinance prohibiting unlicensed cattle and horses from running at large within the limits of the City of Warrenton, Oregon. Prohibiting bulls, stags, sheep, swine, goats, stallions and ridgelings from running at large within the limits of said City and providing for the licensing of such cattle and horses as are not prohibited from running at large, and the impounding of all animals running at large in violation of this Ordinance and for the sale of such animals when not redeemed.

The City of Warrenton does ordain as follows:

No Stock to Run at Large Without License.

Section 1. No horse, mare, colt, cow, calf, or steer

shall be permitted to run at large within the limits of the City of Warrenton, Oregon, without being licensed so to do as in this Ordinance provided, but this section of the same shall not apply to bulls, stags, sheep, swine, goats, stallions or ridgelings.

Cost of Licenses

Section 2. The owner of every horse, cow, calf, mare, colt or steer within the limits of said City shall, before permitting any one of the aforesaid animals to run at large, within the meaning of the terms running at large as in this Ordinance hereafter defined, apply for, and take out a license for said animal, or animals, by paying to the Auditor and Police Judge of said City the following sums according to the animal or animals to be licensed, to-wit: For every cow over two years of age Five Dollars (\$5.00), for every cow or calf under said age Two Dollars (\$2.00), for every steer over the age of two years Five Dollars (\$5.00), for every mare Five Dollars (\$5.00), for every horse Five Dollars (\$5.00), for every colt under the age of two years Two Dollars (\$2.00), the payment of which sum or sums shall entitle the said owner to a license or licenses from said City permitting the animal or animals for which said sum or sums is or are, so paid to run at large within the hereinafter prescribed limits of said City until the expiration of the license as hereinafter provided; **Provided**, that nothing in this section of this Ordinance contained, shall permit any animal hereinafter prohibited from running at large to be licensed or to run at large within the limits of said City.

**Every Family Allowed Two Milch Cows for
Family Use Only.**

Provided further, that there be and there is here-

by allowed to every family within the limits of the City of Warrenton as an exemption from the provision of this Ordinance "Two Milch Cows" provided said cows are owned and used, or kept for use, by said family and for same alone.

Licenses to Be Issued by Auditor.

Section 3. All licenses shall be issued under the hand of the Auditor and Police Judge, in the name of said City, and shall bear the seal thereof; shall designate the name of the owner or owners, and distinctly describe the animal or animals thereby licensed, and each license shall be issued for the year of issue only, and terminate on the 31st day of December, of each year of issue. **Provided**, however, that if the license fee for each animal is paid and the same can be distinctly described, the owner or owners of any number of animals, may have the same included in one license.

Auditor to Supply List to Marshal.

Section 4. It shall be the duty of the Auditor and Police Judge on the issuance of any license or licenses under this ordinance, to provide the City Marshal with a list showing the number of the license issued, a description of the animal or animals licensed and the same of the owner thereof.

Certain Animals Not to Be At Large Under Penalty.

Section 5. No bull, stag, sheep, goat, stallion or ridgeling shall be permitted to run at large, within the meaning of this ordinance within the limits of said City, and any person or persons permitting any such animal to so run at large, shall upon conviction thereof by the Auditor and Police Judge of

said City be punished as in Section 12, of this ordinance provided.

Marshal's Duty to Enforce.

Section 6. It shall be the duty of the Marshal of said City, to see that the provisions of this ordinance are enforced, and he may be assisted by any person who has knowledge of its violation.

Penalty for Hindering Marshal in Exercise of Duty.

And any person who shall hinder, molest, or prevent, or attempt to hinder, molest, or prevent the Marshal or any other person, who may be engaged in enforcing this ordinance from so doing, shall be deemed to be violating this ordinance and shall upon conviction thereof be punished as in Section 12, of this ordinance provided.

Marshal to Impound Unlicensed Stock.

Section 7. The Marshal shall, or any other person may, take up and impound in the pound to be provided by said City, any and all animals found running at large within the limits of said City, contrary to the provisions of this Ordinance.

Impounded Animals Kept at Owner's Expense.

And each and every animal so impounded shall be thereafter, under the control of, and shall be kept and cared for by said Marshal at the expense of said owner of said animal, and the Marshal shall immediately after impounding any such animal, or animals, notify the owner or owners of the same if he or they be known, that said animal or animals is, or are impounded.

Owner May Redeem.

And thereupon the owner may redeem any such animal at any time within three days from the time of receiving such notice, by paying to said Marshal for the use of City, the sum necessary to procure a license on the animal or animals impounded, together with the actual costs of the keep of the impounded animal or animals during the period of impoundment, and by paying also to the said Marshal for his own use and benefit, and as a fee for his services, the sum of One Dollar for each animal and in case of a redemption as in this section provided, the Auditor and Police Judge shall issue the necessary license.

Unredeemed Animals to Be Sold.

Section 8. In case any animal impounded shall not be redeemed within three days, as provided in section seven of this Ordinance the said Marshal shall proceed to sell the same in the name of the City of Warrenton, to the highest bidder for cash, to satisfy the costs and expenses of such sale, the fees of said Marshal for the keeping of said animal and the costs accruing and incident to said sale.

Sale to Be Advertised.

Which sale shall be advertised and conducted in the same manner as the sales of personal property under execution according to the laws of the State of Oregon, except that all sales shall be made at the front door of the City Hall of said City.

Proceeds of Sale.

And the proceeds of any such sales shall be applied first to the payment of the costs of the sale, then to the fees of said Marshal, which shall be the

same as in case of a redemption as in section seven of this ordinance provided, and an additional commission of five per cent on the purchase price, for making such sale; then to the payment of the costs of the keeping of said animal, and then a sum sufficient shall be paid to the City from the proceeds of said sale to equal the amount of the license which would have been paid on such animal provided same had been properly licensed, which said sum shall be paid to the said City, and deducted from the said proceeds as a penalty incident to said sale, and not as a license fee, and then the residue, if any, shall be paid to the owner of the animal so sold at the time of sale, or if said owner be not found the same shall be paid to the City treasurer of said City and by him held in the treasury for the use and benefit of the owner, his heirs or assigns.

Owner May Redeem Any Time Before Sale.

But nothing in this section shall prevent the owner or owners of any animal or animals from redeeming the same at any time before the sale, on payment of the sums mentioned in Section 7 of this ordinance and the additional costs and expenses to the date of redemption; and the owner of any number of animals impounded, shall be entitled at any sale to have any one or more animals, by him designated, sold, to satisfy the charges against the whole, if a sale of less than all will satisfy the same.

Violation and Penalty.

Section 9. Any person permitting any animal of which he has control or of which he is the owner, to run at large in violation of sections 1, 2 or 5, of this ordinance shall upon conviction thereof before the Auditor and Police Judge of said City, be punished as in Section 12 of this ordinance provided, and

the manager or resident agent of a corporation, shall be deemed to be the owner for the purposes of this ordinance.

Definition of "Running At Large."

Section 10. An animal shall be deemed to be running at large within the meaning of this ordinance when the same shall be found within any uninclosed square, park, common, lot, street, lane, alley, public highway, or other public place, within the limits of said City, except that an animal shall not be deemed running at large when it is being led by some person able to control the same, by a rope, chain, or strap, attached to said animal; or when said animal is being driven or ridden by any person, and is under the control of the rider or driver; **Provided**, however, that any unlicensed animals, herded within any of the above described limits of said City shall be deemed to be running at large within the meaning of this ordinance.

Outside Owners to Pay Double License Fee.

Section 11. Any horse, mare, colt, cow, calf or steer belonging to any person, firm or corporation, outside of the City of Warrenton, and which require the benefit of this ordinance, shall be subject to, and shall pay double the license fee provided by Section 2, of this ordinance, and unless the owner or owners of any such animal or animals shall have a manager, or resident agent in said City, no such animal shall be licensed at all, but shall be deemed on unlicensed animal within the provisions of this ordinance.

Violation And Penalty.

Section 12. A violation of any of the provisions of this ordinance shall be punished by a fine of not

less than Five, nor more than One Hundred Dollars, or by imprisonment in the City Jail of said City or other place, provided for the confinement of City Prisoners for a period not to exceed twenty-five days.

Repealing Ordinances in Conflict.

Section 13. Ordinance No. 9 and any and all other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Approved this 6th day of April, 1905.

ORDINANCE NO. 33.

Amending Ordinance No. 6.

An Ordinance amending Sections two (2) and four (4) of Ordinance Number 6 of the ordinances of the City of Warrenton entitled "An Ordinance Providing for the Licensing and Regulating of the sale and giving away of Spirituous Malt and Vinous Liquors and other intoxicating liquors and compounds, within the corporate limits of the City of Warrenton, Oregon, and also licensing and regulating Saloons, Bar-rooms and Drinking Shops, within said City."

The City of Warrenton does ordain as follows.

Amending Section 2, Ordinance No. 6.

Section 1. That Section 2 of ordinance number 6 of the ordinances of the City of Warrenton, Oregon, entitled: "An ordinance providing for the licensing and regulating of the sale and giving away of spirituous malt and vinous liquors and other intoxicating liquors and compounds, within the corporate limits of the City of Warrenton, Oregon, and also licensing and regulating Saloons, Bar-rooms and

Drinking Shops, within said City," approved February 27th, 1899, be and the same is hereby amended, so as to read as follows:

Amendment Raising License to \$500.00.

Section 2. Each and every person, firm, company or corporation which desires to obtain from the said City of Warrenton the licenses mentioned in Section one of this ordinance and has given the notice provided for in the Charter of said City shall apply to the Common Council by petition signed by the person, firm, company or corporation desiring said license which petition shall be accompanied by satisfactory proof, made by affidavit of the person who posted the notices provided for in said Charter to which said affidavit there must be attached a copy of the said posted notice and which petition shall be in accordance with said Charter and shall be presented to said Council at some meeting thereof and if no protest against granting the petition of said applicant which protest shall be as provided in said Charter, be filed as in said Charter provided or if any protest shall have been so filed, and the petitioner has filed the additional petition in such case made and provided for by the said Charter, the said petitioner shall at the time of said meeting at which said petition is acted upon or prior to the time of the issuance of any license under this Ordinance, pay to the Auditor and Police Judge of said City, for the use of said City the sum of Five Hundred Dollars, and thereupon the Common Council may, in its discretion, grant or refuse said petition.

Amending Section 4, Ordinance No. 6.

Section 2. That Section 4 of ordinance number 6 of the ordinances of the City of Warrenton, Oregon, entitled: "An Ordinance providing for the licensing

and regulating of the sale and giving away of spiritous malt and vinous liquors and other intoxicating liquors and compounds, within the corporate limits of the City of Warrenton, Oregon, and also licensing and regulating Saloons, Bar-rooms, and Drinking Shops, within said City," approved February 27th, 1899, be and the same is hereby amended, so as to read as follows:

License to Be Forfeited—When.

Section 4. Should the Common Council refuse to grant the license herein provided for the said sum of Five Hundred Dollars mentioned in the preceding Section 2 of this ordinance, if the same has been paid to the said Auditor and Police Judge at the time of said refusal, shall be returned to the person who paid the same, but after any license has been issued under the provisions of this Ordinance and the same has been revoked by the Common Council, the money paid for said license shall not be returned but shall forfeit to the said City of Warrenton as a penalty incident to said revocation.

Approved the 11th day of February, 1907.

ORDINANCE NO. 36.

An Ordinance to restrain, regulate and prohibit the discharge of fireworks, firecrackers and other detonating works of all descriptions.

Discharge of Fireworks.

The City of Warrenton does ordain as follows:

Section 1. Any person or persons who shall discharge, explode or burn any fireworks or firecrackers, or other detonating or explosive works, the explosion of which is productive of fire in that portion

of the City of Warrenton, described as follows, to-wit: Bounded by Cedar Street in Warrenton, and its Northerly extension thereof on the West; by 4th Street and the easterly extension thereof on the South; by Morton Street and the Northerly and Southerly extension thereof in East Warrenton on the East; and by the Westerly extension of Spokane Avenue on the North, shall be deemed guilty of a misdemeanor, and upon conviction thereof before the Police Court, shall be punished by a fine of not less than Five (\$5.00) Dollars nor not more than Three Hundred (\$300.00) Dollars, or by imprisonment in the City Jail not to exceed One Hundred (100) days.

Approved by the Mayor, July 1st, 1907.

ORDINANCE NO. 38.

An Ordinance to regulate the driving, riding and running of automobiles, oldsmobiles and all other motors and traction machines, operated by gasoline, electricity, steam or other motive power, (other than electric and steam railways) and to provide for lighting the same after night.

The City of Warrenton does ordain as follows:

Regulating the Speed of Automobiles.

Section 1. No person or persons, shall ride, operate or drive any automobile, oldsmobile or any other motor or vehicle operated or driven by gasoline, electricity, steam or other motive power, (except electric and steam railways) within the corporate limits of the City of Warrenton at a greater speed than 7 miles per hour.

To Burn Headlights at Night.

Section 2. No person or persons shall ride, drive

or operate any automobile, oldsmobile or other vehicle operated by gasoline, electricity or steam or other motive power, within the corporate limits of the City of Warrenton between sunset and sunrise without a headlight or lights affixed thereon and lighted.

Violation and Penalty.

Section 3. Any person or persons violating any of the provisions of this ordinance, shall be deemed guilty of a misdemeanor, and upon conviction thereof, before the Police Court, shall be fined not less than Five, nor more than One Hundred Dollars, or by imprisonment in the City Jail not to exceed twenty-five days.

Approved Sept. 9th, 1907.

Amended by Ordinance No. 90.

ORDINANCE NO. 43.

An Ordinance to license and regulate Peddlers, and Book Agents in the City of Warrenton.

The City of Warrenton does ordain as follows:

Peddlers to Be Licensed.

Section 1. That no person, firm, company or corporation shall carry on any Peddling, Hawking, or Street Vending business within the corporate limits of the City of Warrenton, until he, she, or they shall have first obtained a license therefor in the manner in which other licenses are obtained.

Defining License.

Section 2. Every person, firm, company or corporation desiring to peddle, vend or hawk any goods, wares, merchandise or thing, within the City

limits of the City of Warrenton shall pay a weekly license therefor of Ten (\$10.00) Dollars per week, to the City Marshal of said City, who shall thereupon issue to such person, firm, company or corporation a license therefor.

Farmers and Gardeners Exempt.

Provided, however, farmers and gardeners peddling the products of their own farm, ranches or gardens shall not be deemed peddlers under this ordinance.

License for Future Delivery of Goods.

Section 3. Any person, firm, company or corporation desiring to peddle or solicit orders for the sale of books, albums, maps, pictures or other goods within the corporate limits of the City of Warrenton, whether for immediate or future delivery, shall first obtain, from the City Marshal of said City a license therefore.

Book Agents.

Section 4. Every Book Agent or Solicitor, mentioned in Section 3 of this Ordinance, shall pay a weekly license of Five (\$5.00) Dollars.

Violation and Penalty.

Section 5. Any person violating any of the provisions of this ordinance, or if the person offending, be a corporation, then the clerk, agent or manager of such corporation, as well as the corporation itself, shall be deemed guilty of a misdemeanor and upon conviction thereof before the Auditor and Police Judge of the City of Warrenton, shall be fined not more than Fifty (\$50.00) Dollars, or be confined in the City Jail not to exceed twenty (20)

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days or by both fine and imprisonment at the discretion of the Auditor and Police Judge.

Approved July 6th., 1908.

ORDINANCE NO. 44.

An Ordinance prohibiting minors from being abroad on the streets of Warrenton after certain hours, and providing for punishment for violation of the provisions hereof.

The City of Warrenton does ordain as follows:

Minors Prohibited on Streets After Curfew.

Section 1. No minor shall be permitted to go abroad or wander upon the streets, or in any public place in the City of Warrenton after the hour of 8 o'clock P. M., during the months of November, December, January, February, March and April, and after 9 o'clock P. M. during the months of May, June, July, August, September and October of each year, unless accompanied by the parents or guardian of such minor. It shall be the duty of the City Marshal to tap the fire bell of said City three taps, at the hours mentioned, after which any minor found on the street or in any public place except as provided in this ordinance, shall be liable to arrest, and it shall be the duty of the City Marshal, and of any other peace officer of said City, to see that the provisions of this ordinance are enforced. No minor shall, under any circumstances, visit or be in any variety theatre, dance hall or saloon. Any minor violating any of the provisions of this ordinance, shall be deemed guilty of a misdemeanor and upon conviction thereof, before the Auditor and Police Judge, shall be fined not less than Two or

more than Twenty-five Dollars or be imprisoned in the City Jail not to exceed twelve days.

Violation a Misdemeanor.

Section 2. If any person or persons shall be found roaming the streets of the City after the hour of 12 o'clock at night without having any lawful business upon the streets at the time, they shall be deemed guilty of a misdemeanor and upon conviction thereof before the Police Court, shall be punished by a fine of not less than Five Dollars, nor more than One Hundred Dollars, or by imprisonment in the City Jail not to exceed fifty days, or both, in the discretion of the Court.

Approved this 13th day of October, 1908.

ORDINANCE NO. 56.

An Ordinance regulating the manner of conducting City Elections and prescribing the manner of preparing the ballots therefor.

The City of Warrenton does ordain as follows:

Auditor to Give Ten Days Notice of Election.

Section 1. The Auditor shall, under the direction of the Common Council, give a ten days notice of such general election, of the officers to be elected and the place or places of holding election.

Election to Be Governed by State Laws—Except.

Section 2. The election herein provided for shall be conducted substantially in like manner as elections are conducted in the State of Oregon, except as herein otherwise provided.

Mayor to Appoint Three Judges and Two Clerks.

Section 3. The Mayor shall appoint and the

council shall confirm for each election three capable persons possessing the qualifications of electors for each election precinct, to act as judges of election, and shall designate one of the three to be chairman; and shall also appoint two suitable persons for each election precinct having the qualifications of electors, to act as clerks of such election.

Marshal to Notify.

The Auditor and Police Judge shall make out and deliver to the City Marshal immediately after the said appointment of said judges and clerks, a notice thereof, in writing, directed to each clerk and to each judge so appointed.

Section 4. Immediately after the appointment of said judges and clerks, before any general election, the Auditor and Police Judge shall deliver to the City Marshal three notices of the election for each precinct of the City. Said notice to be as follows.

Election Notice.

“Notice is hereby given that on the _____ day of _____ 19____, at the _____ in ward _____, City of Warrenton, an election will be held for City officers, namely (here name the offices to be filled), which election shall be held at 9 o’clock in the morning, and will continue until 5 o’clock in the afternoon of said day.

Dated this _____ day of _____, 19_____.

Auditor and Police Judge.”

City Marshal to Serve Notices.

It shall be the duty of the City Marshal immediately, in the case of any general election, after the receipt of said notices, to serve the notices of appointment on each of said Judges and Clerks.

**Judges and Clerks to Meet At Polling
Place.**

Section 5. The said Judges and Clerks shall meet at their respective polling place designated in said notices at the time prescribed for holding a general or special election to act as judges and clerks of said election. The judge appointed chairman by the Common Council, shall act as chairman, if he be present, if not, the judges shall elect one of their number chairman.

Oath of Election Board.

Section 6. Before entering upon the discharge of their duties, the said judges and clerks shall each take and subscribe the following oath in each of the polling books, which oath shall be administered by any officer authorized to administer oaths, or the chairman, if he be present, and if not, then by one of the judges.

“I,do solemnly swear (or affirm) that I will perform the duties of judge of election (or clerk as the case may be), according to law; that I will studiously endeavor to prevent fraud, deceit and abuse in conducting the election.”

**Failure of Judges to Attend—Electors to
Elect.**

Section 7. In case one or more of said judges of election shall not be present at the time prescribed for opening the polls, the electors present may elect a qualified person from their number to act as judge of election.

Clerks Failing to Attend, to be Appointed.

Section 8. In case one or more said clerks shall

not be present at the time of opening the polls, the judges of election shall appoint a suitable person to act as clerk of said election.

Hour of Opening and Closing Polls.

Section 9. All general elections hereinafter held in this City shall be conducted under the provisions of this act and the polls shall be open at the hour of 9 in the forenoon and continue until 5 o'clock in the afternoon of the same day, at which time the polls shall be closed. Prior to the opening of the polls the chairman of said judges of election shall make public proclamation of the same, and 30 minutes before closing of the public polls, proclamation shall be made by the same officer that the polls shall be closed in half an hour. The ballot boxes, poll books, ballot stubs and tally sheets shall be constantly kept together in the presence of at least four of the said officers from the opening of the polls until the count is completed and the returns signed and sealed. And after the count is once begun it shall continue until it is fully completed, without any adjournment and in the presence of the judges and clerks.

Duty of Judges to Challenge Voters.

Section 10. It shall be the duty of each judge or clerk of election, or any elector present to challenge any person offering to vote whom he shall know or suspect not to be qualified as an elector.

Oath of Voter Challenged.

Section 11. If any person offering to vote is challenged as unqualified by any one enumerated in Section 10, the chairman shall administer to him the following oath or affirmation:

“You do solemnly swear, (or affirm), that you

will fully and truly answer all such questions as shall be put to you touching your place of residence and qualifications as an elector at this election." The chairman shall then propound such questions to the persons challenged as may be necessary to test his qualifications as an elector at that election. The judge may hear such other testimony and consider such other evidence as is proper upon the question. If all the judges shall not agree, the majority of the judges shall decide the matter.

Voters Refusing to Take Oath, Vote Rejected.

Section 12. If the person challenged shall refuse to answer fully any question touching his qualifications as an elector, which shall be put to him, the judges shall reject his vote.

Judge Shall Administer Oath to Voter.

Section 13. If the challenge be not withdrawn after the person offering to vote shall have answered the questions put to him, as aforesaid, the chairman of said judges shall administer to him the following oath:

Oath of Voter.

"You do solemnly swear (or affirm), that you are a citizen of the United States, or have declared your intention to become such, one year next preceding this election; that you are of the age of 21 years; that you have been a resident of the State of Oregon six months and of the City of Warrenton three months next preceding this election."

Clerk Shall Write Word "Challenged" on Poll Book.

Section 14. Whenever any person's right to vote shall be challenged, and he has taken the oath

prescribed by Section 13, it shall be the duty of the clerks of election to write on the poll books at the end of each person's name the words "challenged" and "sworn, and the further words "rejected" or "voted" according to the facts.

Rules Governing Qualifications and Residence.

Section 15. The Judges of election in determining the residence and qualifications of persons offering to vote, shall be governed by the following rules, so far as the same may be applicable:

Place of Residence.

1. The place shall be considered and held to be the residence of the person in which his habitation is fixed and to which whenever he is absent, he has the intention of returning.

When Residence Lost.

2. A person shall not be considered or held to have lost his residence who shall leave his home and go into any other State, or territory or County of this State for temporary purposes only.

3. A person shall not be considered or held to have gained a residence in any county in this State into which he has come for a temporary purpose only without the intention of making the said county his home; but with the intention of leaving the same when he shall have accomplished the business that brought him into it.

Removal to Another State.

4. If any person remove to any other State or to any of the territories with the intention of making it his permanent home, he shall be considered and held to have lost his residence in this State.

Married Man's Residence.

5. The place where a married man's family resides shall be considered and held to be his residence.

Unmarried Man's Residence.

6. The place where an unmarried man sleeps shall be considered and held to be his residence.

When a Voter Loses Residence.

7. If a person shall go from this State into any other State or territory and there exercise the right of suffrage, he shall be considered and held to have lost his residence in this State.

Must Vote In Ward.

8. All qualified voters shall vote in the ward in the City where they may reside.

Judges Must Show Ballot Boxes.

Section 16. It shall be the duty of the judges of election or the chairman thereof immediately before the proclamation is made of the opening of the polls to open the ballot boxes in the presence of the people there assembled and to turn the same upside down, so as to empty the said boxes of anything that may be in them and then lock said boxes securely, and they shall not be reopened until for the purpose of counting the ballots therein at the close of the election. During the election, one of the judges, other than the chairman, shall have the custody of the key.

Persons Not to Stand Within Fifty Feet of the Polls.

Section 17. No person shall approach or stand within fifty feet of the polls when open, except as

herein after provided, for the purpose of receiving votes, except such peace officers as are particularly selected or appointed by the judges to preserve order or enforce the law within such limit and electors actually desiring and proceeding to vote, and but ten electors shall be permitted to approach the polls within 50 feet at the same time; **provided**, however, that the said judges of election shall, if requested, permit one person selected by the party to stand outside of the guard rails at the polls, while open for receiving votes for the purpose of challenging voters and the said judges of election shall, if requested, permit the respective candidates or some person selected by a candidate, or by several candidates, to be present in the room, but outside of the guard rail where said judges are during the time of receiving and counting the votes, and it is discretionary with the judges to allow the public to approach nearer than 50 feet if they deem it advisable.

Ballot Box.

Section 18. The ballot box used at any general or special election shall conform to such requirements, as may be designated by the Common Council of the City of Warrenton, and it shall be the duty of the City Marshal, under the direction of the Common Council to have the said ballot box constructed according to the said requirements and specifications.

Nominations.

Section 19. The nominations for the different offices shall be filed with the Auditor and Police Judge not later than ten days prior to election. It shall be the duty of the Auditor and Police Judge to prepare the official ballot and to have printed

thereon the names of the different candidates and the measures to be voted on as near as practicable as prescribed by the Australian Ballot System, and the names of the candidates shall appear under their respective party names.

Closing Polls and Counting Ballots.

Section 20. Immediately after the closing of the polls, the judges shall open the ballot box and count the ballots. The clerks shall record the number of ballots cast for each candidate and the judges and clerks shall certify as to the correctness of the count. The tally sheets and ballots shall then be placed in the ballot box which shall be securely locked and sealed and the ballot box delivered to the Auditor and Police Judge, who shall deliver it to the officials designated by the Charter as the canvassing board at the time designated by the Charter, when the returns shall be canvassed.

Approved this 20th day of December, 1909.

ORDINANCE NO. 59.

An Ordinance fixing the time of meeting of the Common Council of the City of Warrenton.

The City of Warrenton does ordain as follows:

Naming Date for Regular Meeting.

Section 1. That the first Tuesday of each month be and it is hereby fixed as the regular meeting of the Common Council of the City of Warrenton.

Hour of Meeting.

Section 2. That the hour of seven thirty P. M. be and it is hereby fixed as the hour of meeting of said Council on the day set for the meeting of said Council, as hereinbefore set forth.

Repealing Clause.

Section 3. That all ordinances, or parts of ordinances or resolutions in conflict with this ordinance be and the same are hereby repealed.

Approved the 18th day of July, 1911.

ORDINANCE NO. 61.

An Ordinance making and providing rules and order of business of the Common Council of the City of Warrenton.

The City of Warrenton does ordain as follows:

Rules and Order of Business.

Section 1. That the following Rules and Order of Business for the government of the Common Council of the City of Warrenton are hereby established and shall govern all meetings and proceedings of the Common Council.

Presiding Officer.

Rule 1. The Mayor or in his absence, the President of the Common Council, (or in the absence of both of them) the Auditor and Police Judge shall call the members to order at the hour designated for the meetings. Should there fail to be a quorum present, the members present at the meeting shall adjourn to the next regular meeting of the Council, or to some time certain.

Quorum.

Rule 2. A quorum being present, the first business in order, after the roll call, shall be the reading of the minutes and record of the previous meeting by the Auditor, which, if not objected to, shall be considered approved.

Rule 3. The business of the Common Council shall be presented in the following order:

1. Petitions, Memorials, Remonstrances and Communications.

2. Reports from Standing Committees in the following order.

I. Ways and Means.

II. Sanitary conditions and Public Property.

III. Streets and Public Ways.

IV. Fire and Water.

V. Finance and Dykes.

3. Reports from select or special committees.

4. Report of officers.

5. Reports and business on the table.

6. Reading and consideration of ordinances.

7. Resolutions.

8. Claims and requisitions.

9. Propositions and miscellaneous matters.

10. Adjournment.

Provided that communications from the Mayor may be read at any time.

Presiding Officer to Name Speaker.

Rule 4. When two or more members happen to rise at once, the presiding officer shall name who is to speak first.

No One to Speak More Than Twice.

Rule 5. No member shall speak more than twice on the same subject or question without leave of the Common Council, nor more than once until every member choosing to speak shall have spoken.

To Use Roberts' Rules of Order.

Rule 6. Roberts' Rules of Order shall be considered authority in deciding any question arising on points of order not embraced in these rules.

Members Must Vote—Unless.

Rule 7. Every member who shall be present when a question is put shall vote for or against the same, unless excused by the Common Council, but no member shall be permitted to vote on a question when the ayes and naves are called for, unless present when his name is called in its regular order.

President Pro Tem.

Rule 8. The member of the Council acting as President pro tem may vote on all questions in all cases in which he might vote, if not so acting.

Motions to Be Seconded.

Rule 9. No motion shall be considered unless the same be seconded.

Ordinances to Be Passed by Roll Call Vote.

Rule 10. Upon the passage of an ordinance the question shall be taken by ayes and naves.

Rule Not to Be Changed—Unless.

Rule 11. No standing rule or order of the Council shall be recinded or suspended, nor shall the order of business established by the rules of the Council be postponed or changed, except by unanimous vote of the members present and the ayes and naves shall be recorded on any proposition to suspend a rule.

Approved this 19th day of September, 1911.

ORDINANCE NO. 65.

An Ordinance providing for the manner of ascertaining the owner of any lot or premises assessed for the improvement of a street.

The City of Warrenton does ordain as follows:

To Find Owner of Property.

Section 1. That whenever a street is to be improved, the costs and expenses thereof to be assessed against abutting property as provided by Charter and Ordinances of the City of Warrenton, that for the purpose of ascertaining who is the owner of any lot or part thereof, so assessed for improvement as aforesaid, the Auditor and Police Judge, be, and he is hereby instructed to secure in each case from the county recorder of the County of Clatsop, his certificate stating who is the owner of such lot or property at the date of the ordinance making the assessment as may appear from the record of deeds for said County.

Cost of Finding Owner a Lien on Property.

Section 2. That the bill of the County Recorder for the furnishing of said certificate shall be paid in the regular manner, the same as other bills, but the amounts thereof shall be charged against the street improvement fund constituted for the purpose of defraying the costs and expenses of making such improvement and the amount of the bill of the County Recorder shall be assessed against such property as part of the costs and expenses of making such improvement.

Approved this 3rd day of October, 1911.

ORDINANCE NO. 77.

An Ordinance providing for the reading of ordinances and resolutions.

The City of Warrenton does ordain as follows:

Reading Ordinance But Once.

Section 1. All ordinances of the City of Warrenton as well as all resolutions of the Common Coun-

cil shall be read but once before the same are voted on.

Repealing Clause.

Section 2. That all ordinances or parts of ordinances in conflict herewith be and the same is hereby repealed.

Approved this 12th day of January, 1912.

ORDINANCE NO. 90.

An Ordinance regulating the speed of vehicles within the limits of the City of Warrenton.

The City of Warrenton does ordain as follows:

Regulating Speed of Autos.

Section 1. That no person shall drive, run, or operate any vehicle upon any of the public streets within the City of Warrenton at a greater rate of speed than 18 miles per hour.

Marshal to Post Notices.

Section 2. That the City Marshal be and he is hereby instructed to post such signs and in such places regarding notices of speed, as is provided for in the State laws governing the subject.

Penalty For Violation.

Section 3. Any person violating any of the provisions of this ordinance upon conviction thereof before the Auditor and Police Judge, shall be punished by a fine of not less than \$2.00, nor more than \$50.00, or imprisonment in the City Jail not less than 1 day nor more than 25 days, or by both such

fine and imprisonment, in the discretion of the Court.

Approved this 1st day of October, 1912.

This ordinance amends Ordinance No. 38.

ORDINANCE NO. 112.

An Ordinance to Provide For The Licensing and Killing of Dogs.

The City of Warrenton does ordain as follows:

No Dog To Run At Large Without License.

Section 1. No dog shall be permitted to run at large in any street, lane, alley, public highway, or in any square, park, or any public place, within the limits of the City of Warrenton, without being licensed, and also having a collar of leather or metal secured about the neck of each dog, which collar shall have a number attached thereto, together with the year in which said license was issued, said number to be furnished by the City of Warrenton, and to be the same number and year as that on the license.

Marshal to Issue License.

Section 2. The owner or any person having in charge any dog permitted to run at large within the city limits of the City of Warrenton, shall take out a license for the same, by paying to the Marshal the sum of one dollar for each male dog, and two dollars for each female dog, which shall entitle him to a license from the Auditor and Police Judge, which license shall designate the name of the owner, and said license shall be numbered, which number shall correspond with that worn by the dog.

Marshal To Kill Dogs—When.

Section 3. It shall be the duty of the Marshal, or any one appointed by him, to kill and bury any and all dogs found roaming at large in violation of Section 1 of this ordinance. **Provided**, that if any dog be seized for violation of Section 1 of this ordinance, it shall be returned to the owner, or to any person claiming it, upon the payment of the license and a fee of two dollars to the Marshal; **Provided**, it is claimed within three days after it is seized.

Female Dogs.

Section 4. No female dog in the time of heat, no habitually vicious dog, or mad dog, shall be permitted to run at large within the city limits of the City of Warrenton, under any circumstances, whether licensed or not.

Any Person May Kill Dog—When, Owner Liable.

It shall be lawful for any person to kill any such dog. The owner of any such dog, and any person premitting any such dog to run at large within the city limits of the City of Warrenton, shall, upon conviction thereof by the Auditor and Police Judge, be fined in a sum of not more than \$50.00.

Owner to Control Dog.

Section 5. Any person permitting a dog of which he has no control, or of which he is the owner, to run at large, in violation of any of the provisions of this ordinance, shall, upon conviction thereof, be fined by the Auditor and Police Judge in the sum of not more than \$50.00.

Penalty for Interferring With Officer.

Section 6. Any person who shall hinder or molest any person who is engaged in seizing any dog, or killing the same, according to provisions of this ordinance, upon conviction thereof, shall be fined by the Auditor and Police Judge in the sum of not more than \$100.00, or imprisonment in the city jail not to exceed fifty days.

License For One Year Only.

Section 7. All licenses shall be issued for the year ending December 31st.

Mayor May Order Dogs Muzzled.

Section 8. Whenever it shall appear necessary for the public health and safety of the city, the Mayor shall, by proclamation, require all dogs within the city, whether licensed or not, to be provided with a muzzle, to be so worn as to prevent said dog from biting any person or animal.

Marshal to Kill Muzzled Dogs—When.

Section 9. It shall be the duty of the Marshal, or any person appointed by him, to take up and kill any dog found within the city limits of the City of Warrenton without being muzzled as provided in Section 8 of this ordinance.

All Dogs to Be Muzzled—When.

Section 10. It shall be unlawful for the owner, keeper, or person having in charge or under his control, any dog in this city, to keep such dog within the city limits of the City of Warrenton without being muzzled as provided in Section 8 of this ordinance.

Penalty For Violation.

Section 11. Any person violating any of the provisions of this ordinance, the penalty for which is not otherwise provided, shall upon conviction thereof, be fined by the Auditor and Police Judge in the sum of not more than \$50.00.

Section 12. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Approved the 6th day of April, 1914.

ORDINANCE NO. 113.

An Ordinance authorizing the execution of a contract with the Town of Clatsop for supplying water.

The City of Warrenton does ordain as follows:

Section 1. That the Water Commission of the City of Warrenton be, and the same is hereby, authorized for and on behalf of the City of Warrenton to enter into the hereunto attached contract with the Town of Clatsop for furnishing the said Town of Clatsop water in case the City of Warrenton shall construct a Water System, as in said contract provided.

Approved this 9th day of April, 1914.

This Agreement, made and entered into by and between the City of Warrenton, acting through its Water Commission, and the Town of Clatsop, acting by and through its Board of Trustees, under authority of Ordinance duly passed by the Common Council of the said City of Warrenton, and the Board of Trustees of said Town of Clatsop, **Witnesseth:**

That said City of Warrenton proposes to install a Water System by taking a supply of water from the Lewis & Clark River in Township six (6) North

Range Nine (9) West of the Willamette Meridian, and conveying the same by water pipe line by way of Clatsop Station on the Spokane, Portland, and Seattle Railway line, North along the most practical route to the City of Warrenton: And in consideration of the Town of Clatsop and the inhabitants thereof furnishing unto the said City of Warrenton a free right of way over and under all of its streets and roads within said Town of Clatsop for said pipe line through the Town of Clatsop, and lending their moral support in assisting the promotion of said Water System, the said City of Warrenton agrees that in case it shall build said pipe line within five years from this date that it will furnish to the inhabitants of the Town of Clatsop at and along said pipe line water for consumption for domestic purposes as required by the inhabitants of said Town of Clatsop at the same rate that the City of Warrenton shall charge water consumers residing in the City of Warrenton, making an allowance or deduction on account of the fact that said water is to be delivered at the pipe line in said Town of Clatsop and not distributed to the consumers, which deduction shall be determined by Board consisting of the Chairman of the Board of Trustees of the Town of Clatsop, and one other member of said Board, and the Mayor of the City of Warrenton, and the Chairman of the Water Commission thereof, and in case said four are not able to agree they shall agree upon a fifth disinterested person, and the decision of not less than three of the five shall determine the matter. It is further agreed between the parties that in case the water rates charged consumers by said City of Warrenton shall not be sufficient to pay the interest charges for constructing the system and the charges of

maintaining the same, then in such an event the rates charged to said consumers in the Town of Clatsop shall be the same rate charged the consumers in the City of Warrenton, to which shall be added a proportion or part of the annual interest charged on the cost of the system over and above the water rate and the amount of depreciation to be determined by said arbitration as above mentioned; it being the intention that the individual consumers of water from said system in the town of Clatsop shall pay an equal proportion or amount for water rate that a light consumer residing in the City of Warrenton shall pay. That said water shall be furnished from said system, if constructed, for a period of Ninety Nine (99) years, if said system shall be maintained for that length of time. Said water shall be supplied and said system tapped under such regulation as shall be prescribed by the Water Commission of the City of Warrenton, and it is understood that such water rate shall be paid one month in advance and that such water shall be supplied under such rules and regulations as the Water Commission of the City of Warrenton may from time to time establish; and that the City of Warrenton may at any time establish a meter system and charge for water according to such system; and it is further agreed that the United States Government Military Post at Fort Stevens shall have preference in being supplied water in case of shortage over said consumers in Warrenton and said Town of Clatsop, and said supply shall be subject to interruption from unavoidable accidents. Said water shall be supplied only in case said system is constructed within five (5) years from this date.

And the said Town of Clatsop in consideration

of the covenants of the City of Warrenton agrees to furnish a right of way through said Town of Clatsop over and under all streets and roads within said Town of Clatsop for said pipe line and also agrees to assist and aid the City of Warrenton so far as it is within its power so to do in the promotion of said pipe line and in the extension of the boundaries of said City of Warrenton west to the Pacific Ocean so as to enable it to construct said water system.

In Witness whereof, the parties of the foregoing agreement have caused the same to be executed under authority of ordinances duly adopted by said respective municipalities.

BY _____

ORDINANCE NO. 114.

An Ordinance transferring all money derived from the tax levied for Water Commission purposes to the Treasurer of the Water Commission.

The City of Warrenton does ordain as follows:

Transferring Money From City Treasurer to Treasurer of Water Commission.

Section 1. That all moneys derived from special tax levied for Water Commission purposes be and the same are hereby ordered turned over by the Treasurer of the City of Warrenton, to the Treasurer of the Water Commission of said City of Warrenton.

Method of Transfer of Above.

Section 2. That upon the passage and approval of this ordinance warrants shall be issued upon the

Treasurer of the City of Warrenton in favor of the Treasurer of the Water Commission of the City of Warrenton for the amount of said tax levied for Water Commission purposes, and said warrants shall be delivered to the Treasurer of the Water Commission of the City of Warrenton, and the same shall be paid by the Treasurer of the City of Warrenton to the Treasurer of said Water Commission upon presentation of said warrants.

Approved this 5th day of May, 1914.

ORDINANCE NO. 117.

An Ordinance providing for the manner of exercising the initiative and referendum powers reserved to the people of the City of Warrenton and the legal voters thereof by Section 1-A of Article IV, and Section 2 of Article XI of the Constitution of the State of Oregon.

The City of Warrenton does ordain as follows:

Referendum Invoked by Petition.

Section 1. That for the purpose of invoking the referendum upon any ordinance or resolution passed by the Common Council of the City of Warrenton, a petition signed by ten percent of the electors of the City of Warrenton, therefor must be filed with the Auditor and Police Judge of the City of Warrenton within twenty (20) days from the date of the passage of such ordinance or resolution, and no action shall be taken or anything done to carry out the provisions of any such ordinance or resolution until such time for the filing of such petition shall have elapsed, and the filing of such petition shall have the effect of suspending the operation of such ordinance or resolution until the matter shall have been submitted to the people or electors and

decided upon by them at the following general or special election; **except** measures necessary for the immediate preservation of the public peace, health and safety, and in such case the reason therefor shall be stated in a separate paragraph and such ordinance or law in such case may be made effective immediately. A petition signed by fifteen per cent of the legal voters of the City of Warrenton shall be sufficient to propose any measure, ordinance or amendment to the Charter of the City of Warrenton by initiative, which petition to propose any measure by the initiative must be filed with the Recorder of the City of Warrenton at least four (4) weeks prior to the next general election or the special election at which time such measure shall be submitted to the electors of the City of Warrenton. If at any time any such petition shall be filed no general election is to take place within three months. The Common Council of the City of Warrenton shall thereupon call and provide for a special election to submit said initiative measure and any referendum measure then pending; and the Common Council of the City of Warrenton may at such time that it deems proper without any petition being filed therefor provide for a special election to submit any measure that may be petitioned for by fifteen per cent of the electors of the City of Warrenton or said Common Council may desire to submit to the electors at such election on its own initiative without any petition.

Upon the filing of any such petition for the initiative the Common Council of the City of Warrenton shall provide by resolution or ordinance the time for holding the election to vote upon the same or any other measure proposed (if not already provided for) and shall provide for voting precincts and

judges and clerks of election and the method of canvassing and returning the votes or other matter not provided for in this ordinance.

Form of Referendum.

Section 2. The following shall be substantially the form of the referendum to the people on any ordinance or resolution passed by the Common Council of the City of Warrenton, to-wit:

To the Honorable Auditor and Police Judge of the City of Warrenton, Oregon:

We, the undersigned legal voters of the City of Warrenton, State of Oregon, respectfully order that ordinance No.entitled passed by the Common Council on theday ofor resolution, a copy of which is hereto attached, shall be referred to the people of the City of Warrenton for their approval or rejection at the next election to be held on theday of, or at such special election as may be provided therefor, and each for himself says. I have personally signed this petition; I am a legal voter of the City of Warrenton; and my residence, postoffice and voting precinct are correctly written after my name:

Name	Postoffice	Voting Precinct
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(Numbered lines for twenty names on each sheet.)

Form of Petition.

Section 3. The following shall be substantially the form of petition for any ordinance or amendment to the Charter of the City of Warrenton, proposed by the initiative:

Warning.

Warning: It is a felony for any one to sign any

initiative or referendum petition with any name other than his own, or to knowingly sign his name more than once for the measure, or to sign such petition when he is not a legal voter.

To the Honorable Auditor and Police Judge of the City of Warrenton:

We, the undersigned legal voters of the City of Warrenton, State of Oregon, respectfully demand that the following proposed (Ordinance) amendment to the Charter of the City of Warrenton be submitted to the legal electors of the City of Warrenton for their approval or rejection at the regular general election to be held on theday of, or at a special election to be held on theday of, or to be hereafter called (as the case may be) and each for himself says: I have personally signed this petition; and my residence, postoffice address and voting precinct are correctly written after my name.

Name	Postoffice	Voting Precincts
(Numbered lines for twenty names on each sheet.)		

Every such sheet for petitioners' signatures shall be attached to a full and correct copy of the title and text of the measure so proposed by initiative petition; but such petition may be filed with the Auditor and numbered sections, for convenience in handling, and referendum petitions may be filed in sections in like manner.

Verification of Signatures.

Section 4. Each and every sheet of every such petition containing signatures shall be verified on the face thereof in substantially the following form by the person who circulated said sheet of said petition by his or her affidavit thereon and be a part thereof as follows:

STATE OF OREGON: }
County of Clatsop } ss.

County of Clatsop

I, _____, being duly sworn say. That I am personally acquainted with all the persons who signed this sheet of the foregoing petition; and that each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, postoffice address, and residence and voting precinct correctly, and that each signer is a legal voter of the City of Warrenton, State of Oregon.

Subscribed and sworn to before me this.....day
of _____, 191....

Subscribed and sworn to before me
this.....day of.....191.....

Notary Public for Oregon.

Forms Not Mandatory.

The forms herein given are not mandatory but directory merely and if substantially followed in any petition, it shall be sufficient disregarding clerical and merely technical errors, and errors that do not effect the merits of the petition, and such verified petition when filed with the Auditor and Police Judge of the City of Warrenton shall be prima facie correct.

Auditor to Pass on Initiative Petition.

Section 5. When any petition for the initiative shall be filed with the Auditor of the City of Warrenton, he shall decide in the first instance whether or not the petition entitles the parties to have the

measure referred to the people under the provisions of Section 1-A of Article II, and Section 2 of Article XI of the Constitution of Oregon, and this ordinance, and either the petitioners or the remonstrants, if any, may determine whether or not his decision is correct by mandamus proceedings in the Circuit Court of the State of Oregon for Clatsop County.

Auditor to Advertise Filing of Petition.

Section 6. Immediately upon the filing of any such petition for the referendum or the initiative with the Auditor of the City of Warrenton, signed by the number of voters and filed within the time required by this ordinance; the Recorder shall cause notice thereof announcing that such petition has been filed, with a brief statement of its tenor and effect, to be given by publication for eight days in one daily newspaper circulated in the City of Warrenton, and by posting a copy of such notice in four public places in the City of Warrenton.

Auditor to Prepare Referendum.

Section 7. The Auditor, when such petitions have been properly filed, shall make out the titles and numbers of the various measures to be voted upon at the ensuing general or special election, and he shall use for each measure the title designated for the purpose, by the electors filing the petition, if any, shall be designated; and, provided such title shall not resemble any title of any measure or ordinance or amendment to the Charter previously filed to be submitted at the same election, and the title shall be descriptive of the ordinance or proposed amendment, and the Recorder shall number each proposed ordinance or amendment to the Charter, and all measures proposed by initiative shall be numbered in the order in which they are filed. Said

titles and numbers shall be printed upon the official ballot of the City of Warrenton in the order in which the petitions are filed with the Auditor and measures proposed by the initiative shall be designated and distinguished from measures that are referred to the people by referendum. The affirmative of the first measure shall be numbered on the official ballot 300 and the negative 301, in numerals, and the succeeding measures shall be numbered consecutively, 302, affirmative and 303 negative, and so on.

Manner of Voting.

Section 8. The manner of voting upon measures submitted to the people shall be the same as is now required and provided by law; and no measure shall be adopted unless it shall receive an affirmative majority of the effective votes cast on such measures and entitled to be counted under the provisions of law; that is to say, supposing fifty ballots be properly marked on any measure, it shall not be adopted unless it shall receive more than twenty-five votes.

Auditor to Mail Copy to Each Elector.

Section 9. The Auditor and Police Judge shall not later than fifteen (15) days before any general or special election at which any proposed ordinance or amendment to the Charter of the City of Warrenton is to be submitted to the people, cause to be printed a true copy of the title and text of such ordinance or amendment to be submitted with the number and form in which the question shall be printed on the official ballot, and not later than ten (10) days before such election he shall cause such printed copy of each measure with the number and form in which the question shall be printed on the official ballot, to be mailed to each elector in the City

of Warrenton, of whom such Auditor shall know and shall furnish a copy of the same to any elector requesting the same between such date and the date of the election.

Result to Be Declared.

Section 10. The votes on measures and questions, shall be counted, canvassed and returned by the regular boards of judges, clerks and officers as votes for candidates are counted, canvassed and returned and the return shall be canvassed in the same manner and upon the canvass being completed the Mayor shall forthwith issue his proclamation, which shall be published, at least once, in a daily newspaper circulated in the City of Warrenton, giving the whole number of votes cast in the City for and against each measure and question, and declaring such measures as are approved by a majority of those voting thereon, to be in full force and effect from the dates specified in Section 11 of this Ordinance.

To Become Effective—When.

Section 11. Any measure, ordinance or amendment to the Charter of the City of Warrenton, proposed by initiative petition and adopted by the majority of the electors at any election, shall become effective on the first Monday of the month following the month in which the same shall have been so adopted by the legal voters of the City of Warrenton and any matter referred to the people by referendum and sustained or adopted by the majority of the electors of the City of Warrenton shall become effective as soon as the returns of the election shall have been canvassed and certificate of the result of the canvass filed in the office of the Auditor. Amendments to two or more sections of the Charter

of the City of Warrenton may be proposed at the same time by initiative petition, provided the same are connected or related in any way together, so that the adoption of one of such proposed sections may effect or qualify any other such proposed section or amendment, but where proposed amendments of a Charter are not dependent upon each other in any way, the same shall be petitioned for and submitted to the electors separately. The provisions of this ordinance as to the form of the petition for the initiative or referendum are directory and not mandatory, and any form of petition that substantially complies with the spirit and intent of this Ordinance shall be sufficient, though not in the indential form prescribed by this Ordinance, and where under the provisions of this ordinance notice is directed to be given of the filing of any such petitions for the initiative or referendum immediately it shall be sufficient if the first publication, of such notice shall have been made within one week from the date of the filing of such petition.

Penalty for Improperly Signing Petition.

Section 12. Every person who is a qualified elector of the City of Warrenton may sign a petition for the referendum or for the initiative. Any person signing any name other than his own to such petition, or signing the same more than once for the same measure at one election or who is not at the time of signing the same a legal voter of the City of Warrenton, or any officer or any person wilfully violating any of the provisions of this ordinance shall, upon conviction thereof, before the Auditor and Police Judge, be punished by a fine of not less than \$10.00, nor more than \$100.00, or imprisonment in the City Jail not less than five days nor more

than fifty days, or by both such fine and imprisonment.

Repeal Clause.

Section 13. All ordinances and parts of ordinances in conflict with this ordinance be and same are hereby repealed.

Approved this 21st day of May, 1914.

ORDINANCE NO. 118.

An Ordinance providing for the issuing of negotiable bonds of the City of Warrenton for the purpose of raising funds for the construction of a water system, stating the proposed plan of works, the estimated cost and the amount of bonds to be issued therefor, and submitting the matter to a vote of the resident free-holders.

Whereas under sub-division 32 of Section 34 of the Charter of the City of Warrenton, the Common Council is given authority to issue bonds to the amount of Two Hundred Fifty Thousand (\$250,000 - 00) Dollars for the purpose of building, buying and maintaining water works for the City when authorized by the vote of the resident free-holders, and,

Whereas, under Section 89 of the Charter of the City of Warrenton the Water Commission of the City of Warrenton is authorized to issue and sell negotiable bonds to the amount of \$250,000, for the purpose of constructing and maintaining water works therein of a character and capacity sufficient to furnish the city and the inhabitants thereof with an abundance of pure and wholesome water for all uses and purposes necessary for the convenience and well being of the same, and also one or more electric light plants, and,

Whereas, it is estimated it will require an expenditure of \$150,000 to install a water system sufficient to provide for the present and future needs of the City of Warrenton, and,

Whereas, it is proposed to take the water from the Lewis and Clark River, in Section 20, Township 6, North Range 9 West of the Willamette Meridian, and to conduct the same by a twelve inch pipe line to the reservoir site on Section 12 in said Township; and to conduct the water from said reservoir site by pipe line along or near the grade of the old Portland & Astoria Railway Company to a station called Clatsop on the S. P. & S. Ry., and thence northerly by way of Fort Stevens and New Astoria to the City of Warrenton, and,

Whereas, the Water Commission of the City of Warrenton did, on the 15th day of June, 1914, adopt the following Resolution providing for the issuance and sale of bonds for that purpose, to-wit:

RESOLUTION

Introduced by Commissioner F. M. Warren.

A resolution providing for the issuing of negotiable bonds of the City of Warrenton, for the purpose of raising funds for the construction of a water system, and providing for the manner of issuing the same; time thereof, amount to be issued; and interest thereon.

Whereas, under Section 89 of the Charter of the City of Warrenton the Water Commission of the City of Warrenton is authorized to issue and sell negotiable bonds to the amount of \$250,000 for the purpose of constructing and maintaining water works therein of a character and capacity sufficient to furnish the City and inhabitants thereof, with

an abundance of pure and wholesome water for all uses and purposes necessary for the convenience and well being of the same, and also one or more electric light plants, and,

Whereas, it will require the expenditure of \$150,000 to install a water system sufficient to provide for the present and future needs of the City of Warrenton, and,

Whereas, the City of Warrenton is authorized to provide the rate of interest on such bonds, not to exceed six per cent per annum, payable semi-annually; and to pledge the full faith and credit of the City of Warrenton for the payment of said bonds, and,

Whereas, the City of Warrenton intends to construct a water system by taking water from the Lewis and Clark River in Section 20, Township 6, North Range 9 West, Willamette Meridian, and conducting the same by pipe line via Fort Stevens and New Astoria to and through the City of Warrenton, and, whereas, it is estimated that the costs and expenses of constructing the same will aggregate \$150,000.00.

Now therefore, Be it Resolved by the Water Commission of the City of Warrenton:

Section 1. That the Chairman and Clerk of the Water Commission of the City of Warrenton, be, and are hereby authorized and empowered to advertise for bids in the Astoria Daily Budget and the Morning Astorian of Astoria, Oregon, and the Financial Record of New York City, for the sale of bonds of the par value of \$150,000.00 of the City of Warrenton of the denomination of from \$100 to \$1000, as the purchaser may desire, each payable twenty years after date and drawing interest at the rate of six per cent per annum, the interest to be paid semi-annually.

Section 2. Said advertisement shall be published for five consecutive issues in each of said papers, and shall provide that a certified check in an amount equal to five per cent of the bids submitted shall accompany the bid, with the provision that if the bid made is accepted by the Water Commission of the City of Warrenton, that the check shall be forfeited and belong to the Water Commission of the City of Warrenton as liquidated damages if the bidder whose certified check accompanies the bid shall fail to purchase and accept and pay for said bonds under the provisions of his bid and of this resolution.

Section 3. Said bids shall be filed with the Clerk of the Water Commission of the City of Warrenton up to noon on Monday the 3rd day of August, 1914, and said bids shall be opened at the hour of two o'clock P. M. on said day by said Chairman and Clerk of the Water Commission aforesaid, who shall thereupon consider the same and shall make a report to said Water Commission at the next meeting to be held after that date, and in their report set forth the names of the bidders, the amount bid by each bidder and whether each bid complies with the terms of this resolution, and shall also as part of their report make a recommendation such as in their opinion is advisable in regard to the acceptance of the best responsible bid.

Section 4. Said Commission reserves the right to reject any and all bids submitted.

Section 5. That upon the report of the Chairman and Clerk the said Commission shall consider the same and shall accept such bids as in its opinion shall be deemed advisable.

Section 6. That upon the acceptance by the Commission of such bids as in its opinion is deemed advisable the Chairman of the Commission and the

Clerk thereof shall execute and deliver such bonds to the bidder whose bid has been accepted upon the payment of the amount bid to the Treasurer of the Water Commission of the City of Warrenton, and his receipt therefor shall be presumptive evidence of such payment.

Section 7. The bonds shall be payable to the bidder whose bid has been accepted or to the bearer thereof and shall be of the par value of from One Hundred (\$100.00) Dollars to One Thousand (\$1000.00) Dollars each to suit the purchaser and shall be payable in United States Gold Coin Twenty years after date and shall draw interest at the rate of six per cent per annum, payable semi-annually, and there shall be interest coupons attached for each installment of interest falling due thereon; and the same shall be executed in the name of the City of Warrenton, with the name and title of office of the Chairman and Clerk of said Commission thereto subscribed, and the seal of said City of Warrenton shall be affixed to each bond. The interest coupons shall have attached thereto the name of said City, with the name and title of office of the Chairman and Clerk of said Commission, and shall state the amount of interest represented by each coupon and the date the same becomes due, and shall be numbered the same as the bond to which it is attached and of which it is a part. Said bonds shall provide that the same may be called and paid at par with accrued interest at the option of said City at any time after ten years from date of issuance. Said bonds and coupons shall bear date of issue the first day of August, 1914, and the same may be substantially in the following form, if agreeable to purchaser, said form may be varied to suit the purchaser, to-wit:

Six Per Cent Municipal Gold Bond.

\$1000.00

No.

Warrenton, Oregon,

Twenty years after date, to-wit, on the first day of August, 1934, without grace, the City of Warrenton promises to pay to or bearer hereof, at the National Park Bank, or fiscal agency of the State of Oregon, in New York City, New York, one thousand dollars in gold coin of the United States of America of the present standard value, with interest thereon in like gold coin, at the rate of six per cent per annum from date until paid, for value received herein, interest to be paid semi-annually according to the coupons hereto attached, and if not so paid the whole sum of both principal and interest to become immediately due and collectable at the option of the holder hereof. And in case suit, action or proceeding is instituted to collect this bond, or any portion thereof, the City of Warrenton promises and agrees to pay, in addition to the costs and disbursements provided by statute, such additional sum in like gold coin as the Court may adjudge reasonable for attorneys fees to be allowed in said suit, action or proceeding.

This bond is issued under authority of Section 89 of the Charter of the City of Warrenton as incorporated by an act of the Legislative Assembly of the State of Oregon approved February 11, 1899, and entitled "An act to incorporate the City of Warrenton;" and is issued to provide funds for constructing a water system as therein provided; and the full faith and credit of the City of Warrenton and all water rates and pipe lines are hereby pledged to the payment of this bond: **Provided** that this bond may be recalled and paid at the option of the City at par and accrued interest at any time after

the expiration of ten years from the date of the issuance of the same.

In witness whereof, the Water Commission of the City of Warrenton has caused these presents to be executed by the Chairman and Clerk thereof by affixing hereto the seal of the City of Warrenton and subscribing their respective names and titles of office pursuant to a resolution of said Commission adopted June 15th, 1914, authorizing the same and under authority of ordinance No. 118 approved on the 15th day of June, 1914, also authorizing the same also in pursuance to a majority vote of the resident freeholders authorizing the same at an election held on the 27th day of July, 1914, in pursuance to said ordinance.

City of Warrenton (Seal)

Section 8. The certified checks accompanying the bids shall be payable to the Water Commission of the City of Warrenton, and all checks accompanying rejected bids shall be returned by the Clerk of the Water Commission to the bidders as soon as convenient after the Commission has made acceptance of a bid or such bids as it shall accept.

Section 9. The firm, company or corporation to whom said bonds shall be sold and whose bid is accepted as herein provided for shall furnish the necessary bonds in form as herein provided for, at its or their own expense and without charge to said Commission and said blank bonds shall be furnished not later than the 10th day of August, 1914. The above form prescribed for the bonds is directory only and any form of bond that substantially complies with the requirements of this resolution shall be sufficient.

Section 10. The full faith and credit of the City of Warrenton and all water revenues, rates and pipe

lines are hereby pledged to the payment of said bonds and the interest to accrue thereon and the full taxing power, both general and special, and other revenues of the City of Warrenton are pledged to the payment of said bonds, together with the payment of the interest coupons as herein provided for.

Section 11. Said bonds are issued to provide funds for constructing said water system heretofore mentioned and shall be kept in a separate fund and shall be used by such Water Commission exclusively for that purpose.

Section 12. Said bonds shall be issued and sold when authorized by a majority vote of the resident free-holders of the City of Warrenton at an election held in pursuance to an ordinance of the City of Warrenton to submit said question.

Section 13. That the resolution adopted on May 21st providing for the issuing of negotiable bonds of the City of Warrenton and all resolutions and parts of resolutions in conflict herewith are hereby repealed.

Therefore the City of Warrenton does ordain as follows:

Section 1. That said Resolution adopted by the Water Commission be, and the same is hereby approved and adopted as a part of this Ordinance to the same extent as though enacted thereby. That said bonds shall be issued as provided in said Resolution adopted by said Water Commission, as in said Resolution provided in case said bond issue is approved by a majority vote of the resident free-holders at the election hereinafter mentioned.

Section 2. That the plan of the works shall consist of constructing a dam and taking water from the Lewis and Clark River in Section 20, Township 6 North, Range 9 West, and conducting the water by

a 12 inch pipe line to a reservoir site in Section 12, Township 6 North, Range 10 West, and constructing a reservoir and conducting the water from said reservoir by 14 inch pipe line by way of Clatsop Station north along Clatsop Plains, by way of Fort Stevens and New Astoria, to the City of Warrenton; and that the estimated cost of constructing said water system is One Hundred Fifty Thousand (\$150,000) Dollars; and it is proposed to issue said \$150,000 in bonds to raise the money for that purpose, as in said Resolution provided.

Section 3. That a special election is hereby called to be held on the 27th day of July, 1914, to submit the question to a vote of the resident free-holders of the City as to whether or not said bonds shall be issued. Said election shall be by ballot and shall commence at nine o'clock A. M., and close at seven o'clock P. M.; and the balloting place for said election shall be the City Hall in the City of Warrenton, and that G. H. Greer and C. S. Bower and J. W. Townsend be, and they are hereby appointed Judges of said election, and Phil Coffey and Gladys Moore, be and they are hereby appointed as Clerks of said election; that the tally sheets and poll books for said election shall be in the form provided by Chapter I of Title XXVII of Lord's Oregon Laws, and the votes shall be counted and tallied as therein provided, except as otherwise provided by the Charter of the City of Warrenton, and the returns of the election shall be filed with the Auditor and Police Judge as provided by Section 10 of the Charter, and the returns shall be canvassed as provided by Section 11 thereof.

Section 4. The form of the ballot for the election shall be as follows:

Ballot for an election by the resident free-holders of the City of Warrenton to be held on the twenty-

seventh day of July, 1914, to determine the question as to whether or not the City of Warrenton shall issue \$150,000 of twenty-years six (6 per cent) percent bonds to construct a gravity Water System from Section 20, Township 6 North, Range 9 West on the Lewis and Clark River by way of Fort Stevens and New Astoria, to and through the City of Warrenton.

All resident free-holders of the City of Warrenton are authorized to vote upon the question.

Shall the City of Warrenton, through its Water Commission, be authorized to issue and dispose of \$150,000 worth of twenty-year 6 per cent bonds for the purpose of constructing a gravity Water System from Section 20 in Township 6 North, Range 9 West of Willamette Meridian on the Lewis and Clarke River by way of Fort Stevens and New Astoria to the City of Warrenton, which is estimated to cost \$150,000, for the purpose of constructing said gravity Water System.

Vote "Yes" or "No" by writing a (X) between the number and the question to be answered.

300 Yes.

301 No.

Section 5. It shall be the duty of the Auditor and Police Judge ten (10) days before said election, to prepare printed notices of the election and deliver two of said notices to each Judge and each Clerk of the election; and it shall be the duty of the several Judges and Clerks to immediately post said notices in public places in the City of Warrenton; and it shall be the duty of the Auditor and Police Judge to see that said Clerks and Judges perform such duty and that they cause to be made and executed before him an affidavit of the performance of such duty, which affidavit shall be filed in the office of the Auditor and Police Judge as part of the proceedings

of said election. Said notice shall be in the following form.

Notice of Election.

Notice is hereby given that on the twenty-seventh day of July, 1914, at the City Hall in the City of Warrenton, in the County of Clatsop, Oregon, a Special Election will be held for the City of Warrenton, for the purpose of submitting to the resident free-holders of the City of Warrenton the question as to whether or not \$150,000 of twenty-year 6 per cent bonds shall be issued for the purpose of constructing a gravity Water System from Section 20 in Township 6 North, Range 9 West of Willamette Meridian, on the Lewis and Clark River, by way of Clatsop Station and Fort Stevens and New Astoria to the City of Warrenton; which is estimated to cost \$150,000; which election shall be held at nine o'clock A. M., and shall continue until seven o'clock P. M.

Dated this.....day of....., 1914.

.....
Auditor and Police Judge of the City of Warrenton.

Section 6. That Ordinance No....., entitled "An Ordinance providing for the issuing of negotiable bonds of the City of Warrenton for the purpose of raising funds for the construction of a Water System, stating the proposed plan of works, the estimated cost and the amount of bonds to be issued therefor, and submitting the matter to a vote of the resident free-holders," approved on the 21st day of May, 1914, and all other Ordinances and parts of Ordinances in conflict with this Ordinance be and the same are hereby repealed.

Passed the Common Council of the City of Warrenton, this 15th day of June, 1914.

Approved this 15th day of June, 1914.

STATE OF OREGON)
County of Clatsop,)ss.
City of Warrenton)

I, John Evenden, Auditor and Police Judge, of said City of Warrenton, do hereby certify that the following is a true statement of the indebtedness against said City; the amount of taxable property therein, as shown on the books of the County Assessor of Clatsop County, for the year of 1913, and of the approximate population of said City on this date, to-wit:

1. There is no indebtedness against said City of Warrenton, whatsoever.

2. That the assessed valuation of the real property within the corporate limits of said City of Warrenton, amounts to the sum of \$481,305.

3. That the population of said City of Warrenton is approximately 250 persons.

Given under my hand and the seal of said City of Warrenton, this 29th day of June, 1914.

Notice is hereby given, that up to the hour of 2 o'clock P. M. on the 3rd day of August, 1914, the Water Commission of the City of Warrenton, Oregon, will receive sealed bids for the sale of municipal bonds of the City of Warrenton, of the par value of \$150,000.00, in denominations of from \$100.00, to \$1000.00, each, to suit purchaser, payable twenty years after date, and drawing interest at the rate of six per cent per annum, payable semi-annually. A certified check in an amount equal to five per cent, of the bid shall accompany the bid, payable to said Commission, with the provision that if the bid is accepted by the Water Commission, the check shall be forfeited to the Water Commission if the bidder shall fail to purchase and pay for said bonds. Said

Water Commission reserves the right to reject any and all bids.

Dated this 16th day of June, 1914.

Water Commission of the City of Warrenton.

By E. P. SMILEY, Chairman,

JOHN EVENDEN, Clerk.

Form of Bid.

To the Water Commission of the City of Warrenton:

Gentlemen:—

In pursuance to your advertisement for the sale of \$150,000.00 worth of bonds of the City of Warrenton, of the par value of from \$100.00 to \$1000.00, each, payable twenty years after date, and drawing interest at the rate of six per cent per annum, interest payable semi-annually; the undersigned hereby bids or offers to purchase said bonds at \$..... for said bonds according to the terms of the resolution and ordinance providing for the issuance and sale of the same. This bid is subject to the authorization of said bonds at the election to be held on the 27th day of July, 1914, and the approval of the proceedings for issuing and disposing of said bonds. And I enclose herewith certified check in favor of the Water Commission, equal to five per cent (5 per cent) of said bid, with the understanding that if said bid is accepted by the Water Commission of the City of Warrenton, the check shall be forfeited and belong to the Water Commission as liquidated damages if the bidder shall fail to purchase and accept and pay for said bonds under the provision of his bid.

ORDINANCE NO. 119.

An Ordinance accepting Ordinance No..... of

the Town of Clatsop, granting to the City of Warrenton a franchise to construct a Water System.

The City of Warrenton does ordain as follows:

Section 1. That Ordinance No.....of the Town of Clatsop and the provisions and conditions thereof granting unto the City of Warrenton a franchise and right of way to construct a Water System through the Town of Clatsop, be, and the same is hereby accepted and approved according to the conditions thereof, as passed and adopted on the 28th day of May, 1914.

Approved this 6th day of July, 1914.

ORDINANCE NO. 120.

An Ordinance prohibiting all exaggerated or disorderly dances or dancing, and prohibiting the use of tobacco in any form in any dance hall, and providing punishment for violation of this Ordinance.

The City of Warrenton does ordain as follows:

Prohibiting disorderly Dances and Use of Tobacco.

Section 1. That all persons be, and they hereby are, prohibited from dancing any exaggerated or disorderly dances, being such dances as are commonly known as ragging dances, and ordinarily called the pivot, walk-back, Frisco walk, shivers, hyppo dip, jelly wiggle, sun fish squirm, bunny hug, turkey trot, heads together, port and starboard, side show, briney deep, corkscrew twirl, angle worm wiggle, grizzly bear and Texas Tommy.

Section 2. No person shall use tobacco in any form in any dance hall or room where public dances are held or permitted within the City of Warrenton.

Violation and Penalty.

Section 3. Any person violating any of the pro-

visions of this ordinance, upon conviction thereof by the Auditor and Police Judge, shall be fined not less than \$2.00, or more than \$25.00, or by imprisonment in the City Jail for not more than fifteen days, or by both such fine and imprisonment in the discretion of the Court.

Approved this 20th day of July, 1914.

ORDINANCE NO. 123.

An Ordinance to authorize the holding of a Special Election on the 9th day of November, 1914, for the purpose of voting upon an Amendment to the Charter of the City of Warrenton, to change the boundaries thereof as proposed by petition filed with the Common Council of said City, and presented under the provisions of Chapter 81 of the General Laws of Oregon of the Legislative Assembly of 1911.

Whereas a petition signed by more than one fifth of the qualified electors of the City of Warrenton, as shown by the vote cast at the last election held therein for Mayor, has been presented to the Common Council of said City under Chapter 81 of the General Laws of Oregon, of the Legislative Assembly of 1911, praying that there be submitted to the electors of said town or city, at a Special Election to be held for that purpose, the question whether or not the boundaries of said city shall be changed so as to annex the district of land mentioned and described in the petition hereto annexed and made a part hereof, as Exhibit "A." therefore

The City of Warrenton does ordain as follows:

Naming Date and Purpose of Election.

Section 1. That a special election of the City of Warrenton be held on the 9th day of November,

1914, and the voters of said proposed district to be annexed to vote upon the proposed Amendment to the City Charter as set forth in said petition, and for the annexation of said district.

Naming Election Board of City.

Section 2. That the electors of the City of Warrenton shall vote separately from the electors of said district proposed to be annexed, and the polling place for the City of Warrenton shall be in the City Hall of the City of Warrenton and Frank M. Warren and Gladys Moore and J. W. Townsend are hereby appointed judges of the election at said polling place in the City of Warrenton and G. H. Greer and C. J. Vimont are hereby appointed clerks of election at the same place.

Naming Election Board in Territory Outside City.

The voting or polling place for the district to be annexed, as described in said petition as Exhibit "A," shall be at the Town Hall at Skipanon landing, formerly the Town Hall of Clatsop, in said district, and A. R. Abbott and D. G. Malarkey, and Edgar Deane are hereby appointed judges of election at said voting place and Lloyd Loomis and Ida Malarkey are hereby appointed clerks of election at the same place.

Newspaper Notice.

Section 3. That notice of said Special Election be given as provided by Chapter 81 of the General Laws of the State of Oregon, passed by the Legislative Assembly of 1911, by publication for the period of four (4) weeks prior to said election in the Morning Astorian and Weekly Budget, both and each a newspaper of general circulation in the City

of Warrenton, and of said district to be annexed, and by also posting notices thereof in four (4) public places in the City of Warrenton, and also in four (4) public places in the district proposed to be annexed and in each such place for a like period of four (4) weeks prior to said election, and that said vote be had and that the same be canvassed and returned in the manner provided by the General Laws of the State of Oregon.

Approved this 8th day of September, 1914.

“EXHIBIT A.”

Warrenton, Oregon, Sept. 8, 1914.

To the Common Council of the City of Warrenton,
Gentlemen:—

The undersigned being more than one-fifth of the qualified electors, of the City of Warrenton, as shown by the vote cast at the last municipal election held therein for the office of Mayor, most respectfully petition that the question be submitted to the electors of the City of Warrenton and the electors residing in the territory proposed by this petition, to be annexed to the City of Warrenton and to become a part thereof, as provided by Chapter 81 of the General Laws of Oregon, for the year 1911, and we petition for the annexation of the said District described as follows, to-wit:

Commencing at a point on the low tide line of the Pacific Ocean where the same is intersected by the North line of Block Eleven (11) of DeLaura, as laid out and recorded by the DeLaura Beach company, if extended, a sufficient distance westward, the same being the line between the North and South halves of the W. H. Gray D. L. C. in Section 29, Township 8 North, Range 10 West of the W. M. in Clatsop County, Oregon; and running thence East along the

North line of said DeLaura Beach property 3,435.63 feet; thence South 40 degrees 58½ minutes East 559.78 feet; thence South 54 degrees 38½ minutes East, 186.77 feet; thence South 36 degrees 11 minutes East 360.50 feet; thence East 475.34 feet; thence North 75 degrees 11½ minutes East 633.89 feet; thence Southeast to the Northwest corner of Morrison's Addition to Frondosa; thence North 79 degrees 21 minutes East, 396 feet to the northeast corner of said Addition; thence South to the northwest corner of Ivy Park Addition; thence East along the northline of said Ivy Park Addition 886.05 feet to the Northeast corner of the same; thence east along the North line of the property of School District No. 2, and continuing East to the point of intersection with the County Road; thence Northeasterly along the North line of said county road to the north line of the road commonly called and known as the Cut-off Road; at the Southwest corner of Moreland Addition, thence Easterly along the North line of said Cut-off Road and the South boundary of said Moreland Addition to the west bank of Skipanon Creek or River; thence in a southerly direction along the West bank of said creek or river to the South line of Rodney Acres, thence East along the South line of said Rodney Acres to the southeast corner of the same, thence North along the East line of said Rodney Acres, to its intersection with the center line of Section 27, in said township, thence East along the center line of said section to a point where the same would be intersected by the East line of Block 94 of Warrenton Park extended South on a straight line; thence North along the said last mentioned line to the north line of tract "A" of Harriman Addition; thence East along the said north line of said tract "A" to the west line of the Brian Lavery D. L. C.; thence North along the West line of said claim to

the North line of Section 26, thence East along the said North line of Section 26 to the corner common to Sections 23, 24, 25 and 26 of said Township and Range, thence South along the West line of Section 25 to the North boundary of the County Road leading from Astoria to Warrenton; thence East along the North boundary of said County Road to the middle of the channel of the Lewis and Clark River; thence northerly along the center of said channel to the ship's channel of Young's Bay; thence Westerly down ship's channel to the Northeast corner of the City of Warrenton; thence running south along and following the East boundary of the City of Warrenton to the Southeast corner thereof; thence along the South boundary of said city to the Southwest corner thereof; thence along the West boundary of said city to the Northwest corner thereof and running thence Westerly along the South ship's channel of the Columbia River to the East boundary line of the Town of New Astoria; and running thence South along the East line of said Town to the Southeast corner of New Astoria; thence West along the South line of New Astoria to the Southwest corner thereof; thence North along the West line of said town to the South Boundary of the Fort Stevens Military Reservation; thence West along the South line of said military reservation to the low tide line of the Pacific Ocean and thence Southerly along said low tide line to the place of beginning.

Your petitioners ask that such district be annexed to the City of Warrenton, and that the question of its annexation be submitted at a Special Election to be held for that purpose in the form and manner provided by said statute.

Very respectfully,

ORDINANCE NO. 124.

An Ordinance granting to Pacific Power & Light Company, its successors and assigns, a franchise to construct, maintain and operate in the present and future streets, alleys and public places of the City of Warrenton and its successors, electric light and power lines and appurtenances thereto, for the purpose of supplying electricity to the City of Warrenton, the inhabitants thereof and others.

Be It Ordained by the City of Warrenton

Section 1. There is hereby granted to Pacific Power & Light Company, its successors and assigns (herein called the Grantee) the right, privilege or franchise until September 14th, 1944, to construct, maintain and operate in the present and future streets, alleys and public places of the City of Warrenton and its successors, electric light and power lines with all the necessary or desirable appurtenances, (including underground conduits, poles, wires and telephone and telegraph wires for its own use) for the purpose of supplying electricity to said City, the inhabitants thereof and persons and corporations beyond the limits thereof, for light, power, heat and other purposes.

Section 2. Poles shall be erected in alleys where practicable, and poles shall be so erected so as to interfere as little as possible with traffic over streets and alleys. The location of all poles and conduits shall be fixed under the supervision of the street and alley committee of the City Council, or the successors to the duties of that committee, but not so as to interfere with the proper operation of said lines and appurtenances.

Section 3. The service furnished hereunder to said City and its inhabitants shall be twenty-four hour service, and first class in all respects consider-

ing all circumstances, and shall be subject to such reasonable rules and regulations as the Grantee may make from time to time. The Grantee may require reasonable security for the payment of its bills. Where meters are used, they shall be furnished and maintained by the Grantee without rental or other charge. Charges for metered service shall not exceed fifteen cents per kilowatt hour for current used for lighting purposes, or ten cents per kilowatt hour for power purposes if paid within ten days after bill is rendered; and for unmetered lighting service, charges shall not exceed nine cents per month per rated candle power of lamps connected, or for unmetered power service Seven and 50-100 Dollars (\$7.50) per month per horse power of meters connected, if paid within ten days after bill is rendered. The Grantee, may, however; fix and collect reasonable monthly minimum charges for any service it may render hereunder; which minimum charge for residences however, shall not exceed One Dollar (\$1.00) per month for residences using ten lights or less.

The Grantee shall extend its lines in the City of Warrenton to a point in the street or alley adjoining any applicant's premises when assured by proper security, that it will receive a revenue for two years' time after such extension is made, of not less than Seven and 50-100 Dollars (\$7.50) per annum per one hundred (100) feet of extensions made.

Section 4. When necessary, in order to permit any duly authorized person to move any building across any street or alley of the City of Warrenton, the Grantee shall raise or remove its wires maintained hereunder upon the request of the City Clerk, and the cost to the Grantee for so doing shall be borne by the owner of said building.

Section 5. The City of Warrenton may attach its

fire alarm wires to the poles of the Grantee in said City, but at its own risk and only in accordance with good electrical practice. Said wires shall be subject to reasonable interferences by the Grantee when necessary in the maintenance, operation and repair of its lines.

Section 6. The Grantee shall hold the City of Warrenton harmless for all expense or liability for any act or neglect of the Grantee hereunder.

Section 7. The service to be furnished by the Grantee under this franchise shall be subject to such reasonable rules and regulations as may be lawfully prescribed by The Railroad Commission of Oregon.

Section 8. The Grantee shall file its written acceptance of this franchise within thirty days after due publication of this ordinance, and shall begin the construction of said system within a reasonable time thereafter and shall be prepared to furnish service hereunder within eighteen months from date of passage of this ordinance.

Approved by the Mayor, September 14th., 1914.

**Acceptance of Franchise by Pacific Power &
Light Company.**

To the City of Warrenton, the Council of the City of Warrenton, the Honorable Mayor and Auditor:

Pacific Power & Light Company, a corporation, hereby unconditionally accepts Ordinance No. 124 of the City of Warrenton, entitled.

“An Ordinance granting to Pacific Power & Light Company, its successors and assigns, a franchise to construct, maintain and operate in the present and future streets, alleys and public places of the City of Warrenton and its successors, electric light and power lines and appurtenances thereto, for the purpose of supplying electricity to the City of Warrenton, the inhabitants and others.”

Passed by the Council of said City of Warrenton on September 14th., 1914, and approved by the Mayor of said City of Warrenton on September 14th., 1914, with all the rights, privileges and franchises thereby granted, subject to all of the terms, obligations, restrictions and provisions in said Ordinance contained.

Respectfully.

PACIFIC POWER & LIGHT COMPANY,

By Guy H. Talbot, President.

Attest: Geo. A. Nevins, Secretary.

Dated October 1st., 1914.

ORDINANCE NO. 128.

An Ordinance establishing the curb-line on all streets and designating location of all telephone and telegraph poles, poles supporting wires or cables for the transmission of electric energy, and lamp posts.

The City of Warrenton ordains as follows:

Section 1. That the curb-line on each side of all streets sixty (60) feet wide shall be, and the same hereby is, established and ordained to be ten (10) feet from the property line or side boundary line of such streets.

Section 2. That the curb-line on each side of all streets seventy (70) feet wide shall be, and the same hereby is, established and ordained to be eleven (11) feet from the property line or side boundary line of such streets.

Section 3. That the curb-line on each side of all streets eighty (80) feet wide shall be, and the same hereby is, established and ordained to be thirteen (13) feet from the property line or side boundary line of such streets.

Section 4. That the outside extension of all telephone poles, telegraph poles, poles supporting wires

or cables for the transmission of electric energy, and all other poles and posts of every kind and nature, which are now, or may hereafter be, set or placed on any and all of the streets of the City shall be one (1) foot distant from, and inside of, all street curb-lines.

Approved by the Mayor this 6th day of November, 1914.

ORDINANCE NO. 129.

An Ordinance declaring the result of the election held in the City of Warrenton and the district to be annexed, on the 9th day of November, 1914, and declaring such annexation and directing the Auditor and Police Judge to make and transmit to the Secretary of State a certified description of such annexed territory, and an abstract of such vote.

Whereas, the Council of the City of Warrenton met on this, Monday the 16th day of November, 1914, at one o'clock P. M. and proceeded to canvass the votes cast at the election on the 9th day of November, 1914, for the annexation of the territory herein-after described; the vote cast in such territory so proposed to be annexed was first canvassed and it was found that therein 55 votes were cast in favor of annexation and 24 votes were cast against annexation, and that a majority of all the votes in such territory were in favor of annexation, and that, in the City of Warrenton 83 votes were cast in favor of annexation and 1 vote against annexation, and that a majority thereof were also in favor of such annexation, therefore,

The City of Warrenton does ordain as follows:

Section 1. That the following territory, to-wit: Commencing at a point on the low tide line of the Pacific Ocean where the same is intersected by the

North line of Block Eleven (11) of DeLaura, as laid out and recorded by the DeLaura Beach company, if extended, the same being the line between the North and South halves of the W. H. Gray D. L. C. in Section 29, Township 8 North, Range 10 West of the W. M. in Clatsop County, Oregon; and running thence East along the North line of said DeLaura Beach property 3,435.63 feet; thence South 40 degrees 58 $\frac{1}{2}$ minutes East 559.78 feet; thence South 54 degrees 38 $\frac{1}{2}$ minutes East, 186.77 feet; thence South 36 degrees 11 minutes East 360.51 feet; thence East 475.34 feet; thence North 75 degrees 11 $\frac{1}{2}$ minutes East 633.89 feet; thence Southeast to the Northwest corner of Morrison's Addition to Frondosa; thence North 79 degrees 21 minutes East, 396 feet to the northeast corner of said Addition; thence South to the northwest corner of Ivy Park Addition; thence East along the north line of said Ivy Park Addition 886.05 feet of the Northeast corner of the same; thence east along the North line of the property of School District No. 2, and continuing East to the point of intersection with the County Road; thence Northeasterly along the North line of said county road to the north line of the road commonly called and known as the Cut-Off Road; at the South-west corner of Moreland Addition, thence Easterly along the North line of said Cut-off Road and the South boundary of said Moreland Addition to the west bank of Skipanon Creek or River; thence in a southerly direction along the West bank of said creek or river to the South line of Rodney Acres, thence East along the south line of said Rodney Acres to the southeast corner of the same, thence North along the East side of said tract to its intersection with the center line of Section 27, thence East along the center line of said section to a point where the same would be intersected by the East line

of Block 94 of Warrenton Park extended South on a straight line; thence North along the said last mentioned line to the north line of tract "A" of Harriman Addition; thence East along the said north line of said tract "A" to the west line of the Brian Lavery D. L. C.; thence North along the West line of said claim to the North line of Section 26, thence East along the said North line of Section 26 to the corner common to Sections 23, 24, 25 and 26 of said Township and Range, thence South along the West line of Section 25 to the North boundary of the County Road leading from Astoria to Warrenton; thence East along the North boundary of said County Road to the middle of the channel of the Lewis and Clark River; thence northerly along the center of said channel to the ship's channel of Young's Bay; thence Westerly down said ship's channel to the Northeast corner of the City of Warrenton; thence running south along and following the East boundary of the City of Warrenton to the Southeast corner thereof; thence along the South boundary of said city to the Southwest corner thereof; thence along the West boundary of said city to the Northwest corner thereof and running thence West-erly along the South ship's channel of the Columbia River to the East boundary line of the Town of New Astoria; thence South along the East line of said Town to the Southeast corner of New Astoria; thence West along the South line of New Astoria to the Southwest corner thereof; thence North along the West line of said town to the South boundary of the Fort Stevens Military Reservation; thence West along the South line of said military reservation to the low tide line of the Pacific Ocean and thence Southerly along said low tide line to the place of beginning.

Be and the same is hereby declared annexed to the

City of Warrenton, and the Auditor and Police Judge of the City of Warrenton is directed to make and transmit to the Secretary of State, a certified description of such annexed territory and an abstract of such vote which shall show the whole number of electors voting in such territory, the whole number of voters voting in such corporation, the number of votes cast in each for such annexation and the number of votes cast against annexation.

Approved this 16th day of November, A. D., 1914.

ORDINANCE NO. 130.

An Ordinance creating Dike District No. 3, and designating the Boundaries thereof.

The City of Warrenton ordains as follows:

Creating Dyke District No. 3.

Section 1. That there be, and there hereby is, created a dike district in the City of Warrenton, to be known and designated as Dike District No. 3, which district shall be composed of the following described and designated territory, to-wit:

Boundaries of Dyke District No. 3.

All the land situated and being easterly of the Skipanon Creek or River, which is between the old boundary of the City of Warrenton, as it existed on the 8th day of November, 1914, and the new or present boundary of such City, and which is within the dike now constructed along the water-front of such land, it being the purpose of this ordinance not to include in said Dike District No. 3 any lands that may be situated between the present dike and the rivers and bays—that is, without that dike.

Dyke Taxes for District No. 3.

Section 2. That all taxes shall be assessed, levied and collected and the affairs and management of said Dike District No. 3 shall be the same as are now, or may be hereafter, carried out and effected in Dike District No. 1 and Dike District No. 2 of the City of Warrenton.

Approved this 20th day of November, 1914.

Certificate of Annexation of Territory to the City of Warrenton.

Under Chapter 81 of General Laws of Oregon,
for 1911.

STATE OF OREGON)
County of Clatsop)ss.
City of Warrenton)

I, John Evenden, Auditor and Police Judge of the City of Warrenton, do hereby certify that on the 9th day of November, 1914, the question of annexing the territory hereinafter described, was submitted to a vote of the electors of the City of Warrenton and of the district to be annexed, which said district to be annexed was and is as follows, to-wit:

Commencing at a point on the low tide line of the Pacific Ocean where the same is intersected by the North line of Block Eleven (11) of DeLaura, as laid out and recorded by the DeLaura Beach company, if extended, the same being the line between the North and South halves of the W. H. Gray D. L. C. in Section 29, Township 8 North, Range 10 West of the W. M. in Clatsop County, Oregon; and running thence East along the North line of said DeLaura Beach property 3,435.63 feet; thence South 40 degrees 58½ minutes East 559.78 feet; thence South 54 degrees 38½ minutes East, 186.77 feet; thence South 36 degrees 11 minutes East 360.50 feet; thence East 475.34 feet; thence North 75 degrees 11½ minutes East

633.89 feet; thence Southeast to the Northwest corner of Morrison's Addition to Frondosa; thence North 79 degrees 21 minutes East, 396 feet to the northeast corner of said Addition; thence South to the northwest corner of Ivy Park Addition; thence East along the north line of said Ivy Park Addition 886.05 feet to the Northeast corner of the same; thence east along the North line of the property of School District No. 2, and continuing East to the point of intersection with the County Road; thence Northeasterly along the North line of said county road to the north line of the road commonly called and known as the Cut-off Road; at the Southwest corner of Moreland Addition, thence Easterly along the North line of said Cut-off Road and the South boundary of said Moreland Addition to the west bank of Skipanon Creek or River; thence in a southerly direction along the west bank of said creek or river to the South line of Rodney Acres thence East along the south line of said Rodney Acres to the southeast corner of the same, thence North along the East side of said tract to its intersection with the center line of Section 27, thence East along the center line of said section to a point where the same would be intersected by the East line of Block 94 of Warrenton Park extended South on a straight line; thence North along the said last mentioned line to the north line of tract "A" of Harriman Addition; thence East along the said north line of said tract "A" to the west line of the Brian Lavery D. L. C.; thence North along the West line of said claim to the North line of Section 26, thence East along the said North line of Section 26 to the corner common to Sections 23, 24 25 and 26 of said Township and Range, thence South along the West line of Section 25 to the North boundary of the County Road leading from Astoria to Warrenton; thence

East along the North boundary of said County Road to the middle of the channel of the Lewis and Clark River; thence northerly along the center of said channel to the ship's channel of Young's Bay; thence Westerly down said ship's channel to the Northeast corner of the City of Warrenton; thence running south along and following the East boundary of the City of Warrenton to the Southeast corner thereof; thence along the South boundary of said city to the Southwest corner thereof; thence along the West boundary of said city to the Northwest corner thereof and running thence Westerly along the South ship's channel of the Columbia River to the East boundary line of the Town of New Astoria; thence South along the East line of said Town to the Southeast corner of New Astoria; thence West along the South line of New Astoria to the Southwest corner thereof; thence North along the West line of said town to the South boundary of the Fort Stevens Military Reservation; thence West along the south line of said military reservation to the low tide line of the Pacific Ocean and thence Southerly along said low tide line to the place of beginning.

And that at such election 79 votes were cast in such territory to be annexed, and that of said votes 55 votes were in favor of annexation and 24 votes were against annexation; and that in the City of Warrenton the total number of votes cast were 84 and that of said votes 83 votes were cast in favor of annexation and 1 vote against annexation, and that on the Monday succeeding the election, to-wit: on the 16th day of November, 1914, the City Council of the City of Warrenton met at one o'clock P. M. and proceeded to canvass the votes cast at such election and declared the result as aforesaid, and duly adopted an ordinance declaring such annexation and

directing the transmissal to the Secretary of State of a certified description of such annexed territory and an abstract of such votes, and that the foregoing is done in compliance with said ordinance No. 129, approved on the 16th day of November, A. D., 1914.

In witness whereof, I have hereunto set my hand and the seal of the City of Warrenton, this 16th day of November, A. D., 1914.

JOHN EVENDEN,

Auditor and Police Judge of the City of Warrenton.

This certificate was filed by Hon. Ben W. Olcott, Secretary of State at his office, and on that day the annexation became effective.

ORDINANCE NO. 136.

An Ordinance providing for the method of nominating Candidates for the office of Mayor and Councilman.

The City of Warrenton does ordain as follows:

Methods of Nominating Candidates.

Section 1. That all candidates for the offices of Mayor and Councilman of the City of Warrenton, shall be nominated as follows:

1. By a certificate or petition of nomination, signed by not less than five (5) per cent of the electors of the City of Warrenton, as shown by the vote cast for the office of Mayor at the last preceding general election, or.

2. By an assembly or caucus consisting of twenty (20) Electors of said City, the Secretary of which shall be authorized to certify to the nominations, and shall file his certificate with the Auditor and

Police Judge, not later than seven (7) days prior to the day of the General Election.

Provided, that any nomination of Candidates for said offices which may have been made heretofore by an assembly or caucus of electors of the City of Warrenton, may be certified and filed with the Auditor and Police Judge, by the Secretary of such assembly or caucus not later than seven (7) days prior to the day of the General Election, and such nominations shall be valid in every respect as though made hereafter, and the Certification thereof filed with the Auditor and Police Judge not less than seven (7) days prior to the day of General Election.

Repeal Clause.

Section 2. That all Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Emergency Clause.

Section 3. That the passage of this ordinance at this time and the taking effect of it forthwith, is necessary for the immediate preservation of the Public Peace, Health and Safety of the inhabitants of the City of Warrenton, and therefore an emergency is declared to exist, and this ordinance shall be in full force and effect upon its approval and passage by the Council, when approved by the Mayor.

Passed the Common Council this 7th day of December, 1914.

Approved thisday of December, 1914.

.....
Mayor.

Attest:

.....
Auditor and Police Judge.

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